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CIS

EXTENSION OF MFN STATUS TO ROMANIA, HUNGARY, AND THE PEOPLE'S REPUBLIC OF CHINA

HEARINGS

BEFORE THE

SUBCOMMITTEE ON TRADE

OF THE

COMMITTEE ON WAYS AND MEANS
HOUSE OF REPRESENTATIVES

NINETY-SEVENTH CONGRESS

SECOND SESSION

JULY 12 AND 13, 1982

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EXTENSION OF MFN STATUS TO ROMANIA, HUNGARY, AND THE PEOPLE'S REPUBLIC OF CHINA

MONDAY, JULY 12, 1982

House of Representatives,
Committee on Ways and Means,
Subcommittee on Trade,
Washington, D.C.

The subcommittee met, at 2:05 p.m., pursuant to notice, in room 1100, Longworth House Office Building, Hon. Sam M. Gibbons (chairman of the subcommittee) presiding.

[The press release announcing the hearings and staff background briefing material follow:]

[Press Release of Monday, June 21, 1982]

The Honorable Sam M. Gibbons, Chairman, Subcommittee on Trade, Committee on Ways and Means, U.S. House of Representatives, Announces Public Hearings on Monday, July 12, 1982, and Tuesday, July 13, 1982, on a Presidential Recommendation To Continue the Waivers Applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China, and To Extend the Waiver Authority Under the Trade Act of 1974

The Honorable Sam M. Gibbons, Chairman of the Subcommittee on Trade of the Committee on Ways and Means, U.S. House of Representatives, today announced that the Subcommittee on Trade will conduct hearings on Monday, July 12, 1982, and Tuesday, July 13, 1982, on a Presidential recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements under section 402 and for continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China (PRC). The hearing will begin on July 12 at 2:00 p.m. in room 1100, Longworth House Office Building, and continue on July 13 at 9:30 a.m. in room 2212, Rayburn House Office Building.

Nondiscriminatory Most Favored Nation (MFN) trading status was granted to the Socialist Republic of Romania on August 3, 1975, for the Hungarian People's Republic on July 7, 1978, and for the People's Republic of China on February 1, 1980, pursuant to Congressional approval of the agreements on trade relations between the United States of America and these countries. In approving extension of MFN treatment, the Congress also accepted the President's waivers for Romania, Hungary, and the People's Republic of China of the 1974 Trade Act's emigration requirement with respect to trade relations with countries not previously receiving nondiscriminatory treatment. The trade agreements extend three years from the date of their entry into force. If there is a satisfactory balance of concessions in trade and services under the agreements and if the President finds that actual or forseeable reductions in U.S. tariffs and nontariff barriers resulting from multilateral trade negotiations are satisfactorily reciprocated, the trade agreements can be extended for three years. The Romanian and Hungarian trade agreements with the U.S. were renewed last year.

The Trade Act waiver authority expires on July 3 of each year. It may be extended at one-year intervals upon a Presidential determination and report to Congress that such extension will substantially promote the objectives of the Trade Act's emigration requirement, provided that no disapproval resolution is approved by either the House or the Senate within 60 calendar days after July 3 of each year. On June 2, 1982, President Reagan transmitted to the Congress his recommendations that the waiver authority be extended for a further 12-month period and that waivers applicable to Romania, Hungary, and the PRC will substantially promote the objectives of section 402.

In consideration of the President's recommendation, the Subcommittee on Trade will be particularly concerned with emigration performance in the last year, which is viewed as a condition for continued extension of MFN treatment.

DETAILS FOR SUBMISSION OF REQUESTS TO BE HEARD

Requests to be heard must be received by telephone to Harriett Lawler [telephone (202) 225-3627] by close of business, Tuesday, July 6, 1982. The request should be followed by a formal written request addressed to John J. Salmon, Chief Counsel, Committee on Ways and Means, U.S. House of Representatives, Room 1102, Longworth House Office Building, Washington, D.C. 20515.

In order to assure the most productive use of the limited amount of time available to question hearing witnesses, witnesses scheduled to appear before the Subcommittee are required to submit 75 copies of their prepared statements to the full Committee office, room 1102, Longworth House Office Building, at least 24 hours in advance of their scheduled appearances. In view of the limited time available, witnesses will be allocated 5 minutes to summarize their written statements. The full statement will be included in the printed record.

Each statement to be presented to the Subcommittee or any written statement submitted for the record must contain the following information:

1. The name, full address, and capacity in which the witness will appear (as well as a telephone number where he or his designated representative may be reached);
2. A list of any clients or persons, or any organization for whom the witness appears; and
3. A topical outline or summary of the comments and recommendations in the full statement.

WRITTEN STATEMENTS IN LIEU OF A PERSONAL APPEARANCE

Persons submitting a written statement in lieu of a personal appearance should submit at least six (6) copies of their statement by the close of business Tuesday, July 20, 1982, to John J. Salmon, Chief Counsel, Committee on Ways and Means, U.S. House of Representatives, Washington, D.C. 20515. If those filing written statements for the record of the printed hearing wish to have their statements distributed to the press and the interested public, they may submit 50 additional copies for this purpose if provided to the Committee during the course of the public hearing.

97th Congress, 2d Session - - - - - - House Document No. 97-190

FURTHER EXTENSION OF WAIVER AUTHORITY GRANTED BY SUBSECTION 402(c) OF THE TRADE ACT OF 1974

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A RECOMMENDATION FOR FURTHER EXTENSION OF THE AUTHORITY TO WAIVE SUBSECTION (a) AND (b) OF SECTION 402 OF THE TRADE ACT OF 1974

JUNE 2, 1982.—Message and accompanying papers referred to the Committee on Ways and Means and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE
89-011 O WASHINGTON : 1982

To the Congress of the United States:

In accordance with subsection 402(d)(5) of the Trade Act of 1974, I transmit herewith my recommendation for a further 12-month extension of the authority to waive subsections (a) and (b) of Section 402 of the Act.

I include as part of my recommendation my determination that further extension of the waiver authority, and continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China will substantially promote the objectives of Section 402.

This recommendation also includes my reasons for recommending the extension of waiver authority and for my determination that continuation of the three waivers currently in effect will substantially promote the objectives of Section 402. It also states my concern about Romania's emigration record this year and the need for its reexamination.

RONALD REAGAN.

THE WHITE HOUSE, *June 2, 1982.*

THE WHITE HOUSE,
Washington, June 2, 1982.

[Presidential Determination No. —]

MEMORANDUM FOR THE SECRETARY OF STATE

Subject: Determination under subsections 402 (d)(5) and (d)(5)(C) of the Trade Act of 1974—Continuation Waiver Authority

Pursuant to the authority vested in me under the Trade Act of 1974 (Public Law 93-618, January 3, 1975; 88 Stat. 1978) (hereinafter "the Act"), I determine, pursuant to subsections 402 (d)(5) and (d)(5)(C) of the Act, that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of Section 402 of the Act. I further determine the continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China will substantially promote the objectives of Section 402 of the Act.

This determination shall be published in the *Federal Register.*

RONALD REAGAN.

RECOMMENDATION FOR EXTENSION OF WAIVER AUTHORITY

I recommend to the Congress that the waiver authority granted by subsection 402(c) of the Trade Act of 1974 (hereinafter "the Act") be further extended for twelve months. Pursuant to subsection 402 (d)(5) of the Act, I have today determined that further extension of such authority, and continuation of the waivers currently applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China will substantially promote the objectives of section 402 of the Act. However, I am concerned about Romania's emigration record this year and suggest it be reexamined. My determination is attached to this Recommendation and is incorporated herein.

The general waiver authority conferred by section 402(c) of the Act is an important means for the strenthening of mutually beneficial relations between the United States and certain countries of Eastern Europe and the People's Republic of China. The waiver authority has permitted us to conclude and maintain in force bilateral trade agreements with Romania, Hungary, and the People's Republic of China. These agreements continue to be fundamental elements in our political and economic relations with those countries, including our important productive exchanges on human rights and emigration matters. Moreover, continuation of the waiver authority might permit future expansion of our bilateral relations with other countries now subject to subsection 402(a) and (b) of the Act, should circumstances permit. I believe that these considerations clearly warrant this recommendation for renewal of the general waiver authority.

I also believe that continuing the current waivers applicable to Romania, Hungary and the People's Republic of China will substantially promote the objectives of section 402 of the Act.

Romania.—Emigration from Romania to the United States has increased substantially since the waiver has been in effect. In 1981, nearly 2,400 persons emigrated from Romania to the U.S. This is nearly six times the pre-MFN level of emigration and represents an optimum number of emigrants under U.S. immigration procedures in effect that year.

However, I am gravely concerned about the Romanian Government's failure to improve its repressive emigration procedures and the significant decrease in Romania Jewish emigration to Israel, which is disturbing. This emigration has dropped from an annual rate of 4,000 prior to the 1975 extension of MFN to Romania, to the current (1981) low level of 972. Furthermore, contrary to the 1979 agreement with American Jewish leaders, Romania continues to maintain a considerable backlog of unresolved long-standing emigration cases. This backlog at present involves at least 652 cases. Also, contrary to the 1979 agreement, the Romanian Government has not improved its emigration procedures. The process is cumbersome and plagued with obstacles for those who merely wish to obtain emigration application forms. All these factors demonstrate Romania's negativistic emigration policy which clearly contravenes the intent and purpose of the Jackson-Vanik Amendment.

In waiving the prohibition of MFN renewal for Romania this year, I have weighed the above factors within the context of the satisfactory state of overall U.S.-Romanian relations. However, I intend to inform the Romanian Government that unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Romania' MFN renewal for 1983 will be in serious jeopardy.

Hungary.—Hungary's performance during the past year has continued to reflect a positive approach to emigration cases. The majority of Hungarians seeking to emigrate receive permission to do so without great difficulty. Few problem cases arise and these can be discussed constructively with the Hungarian Government. Most difficult cases ultimately are favorably resolved. The relatively liberal Hungarian domestic situation seems to defuse any pent-up demand to emigrate and the actual number of citizens who apply to leave Hungary is apparently small.

People's Republic of China.—During the past year, China has continued its commitment to open emigration, exemplified by its undertaking in the September 1980 U.S.-China Consular Convention to facilitate family reunification. The Convention was approved by the Senate on December 17, 1981. The instruments of ratification were exchanged on January 19, 1982. U.S. Foreign Service posts in China issued over 6,920 immigrant visas in FY 1980, and over 15,293 nonimmigrant visas for business, study, and family visits. The comparable figures for 1980 were 3,400 and 15,893, respectively. More than 8,000 Chinese are now in the United States for long-term study and research (approximately half of this number is privately sponsored). As has been the case for the past several years, the numerical limits imposed on entry to the United States by our immigration law continue to be a more significant impediment to immigration from China than Chinese Government exit controls. The Chinese Government is aware of our interest in open emigration, and extension of the waiver will encourage the Chinese to maintain liberal travel and emigration policies.

In light of these considerations, I have determined that continuation of the waivers applicable to Romania, Hungary, and the People's Republic of China will substantially promote the objectives of section 402 of the Act.

○

I. LEGISLATIVE REQUIREMENTS AND HISTORY

1. Waiver Authority - Section 402 of the Trade Act of 1974 prohibits the granting of MFN treatment, government credits or investment guarantees, or the negotiation of a commercial agreement with any communist country if that country does not allow its citizens the freedom to emigrate. Section 402 also permits the President to waive the prohibition for one year periods (subject to renewal) if he determines that doing so will promote freedom of emigration. The authority expires on July 3 of each year unless the President recommends an extension to the Congress at least 30 days in advance.

The first renewal of the President's waiver authority in the fall of 1976 took place by operation of law. On June 2, 1976, the President recommended to the Congress that the authority, and the waiver applicable to Romania, be extended for a 12-month period. The Congress had the option to act affirmatively to extend or terminate the authority or to permit by inaction the extension of the authority. Since both Houses failed to take affirmative action either prior to the termination date of the initial grant of authority (July 30, 1976) or within 60 days following that termination date, and since neither House passed a resolution disapproving the President's recommendation within the 45 days following the 60-day period (i.e., on or before October 15, 1976), the authority automatically extended until July 3, 1977. The Subcommittee on Trade held a hearing on September 14, 1976 on the President's request for renewal of the waiver authority and its application to Romania, but took no further action.

On June 3, 1977, the President recommended to the Congress a further 1-year extension of the waiver authority and its application to Romania. The Trade Act provides less scope for Congressional action in the case of additional recommendations for extension, i.e., the waiver authority, and its application to individual countries, extends, by operation of law, unless either House of Congress passes a disapproval resolution within 60 calendar days after the termination of the previous extension period.

On June 22, 1977, Congressman Larry McDonald introduced H. Res. 653, a resolution disapproving extension of the waiver authority recommended by the President, with respect to Romania. The resolution was reported to the House on June 26, 1977. The House tabled the disapproval resolution on August 3, 1977.

On June 2, 1978, the President recommended to the Congress a further 1-year extension of the waiver authority and its application to Romania and Hungary. Although products of Hungary did not benefit from MFN tariff treatment at this time, the President had transmitted to Congress the text of the U.S.-Hungarian Trade Agreement for its approval. The Subcommittee held a hearing on June 15 and transmitted a report of its oversight activities to the House on September 26. Since no disapproval resolution was passed by either the House or the Senate within the statutory period, MFN extended by operation of law until July 3, 1979.

On June 1, 1979, the President recommended to the Congress a further 1-year extension of the waiver authority and its application to Romania and Hungary. On June 14, Congressmen Richard T. Schulze, Larry McDonald, and Robert K. Dornan introduced H.Res. 317, a resolution disapproving the extension of the waiver authority recommended by the President with respect to Romania. The Subcommittee held hearings on the President's recommendation on June 22 and July 9. The full Committee on Ways and Means reported the resolution unfavorably on July 13. The House failed to pass the disapproval resolution by a vote of 126-271 on July 25.

On May 28, 1980, the President recommended to the Congress a further 1-year extension of the waiver authority and its application to Romania, Hungary, and China. Hearings were held on the President's recommendation on June 10. On August 22, 1980, Congressman Richard Schulze introduced H.Res. 775 to disapprove the extension of the waiver authority to Romania. No action was taken on that resolution.

On June 22, 1981, the Subcommittee on Trade of the House Ways and Means Committee held a hearing on the waivers for Romania, Hungary, and China. Neither the House or the Senate adopted a resolution disapproving the grant of MFN trading status to Romania, Hungary, or the PRC.

On June 2, 1982, the President recommended to the Congress a further 1-year extension of waiver authority and its application to Romania, Hungary, and China. The President, however, expressed a reservation with respect to the granting of a waiver to Romania because Romanian Jewish emigration to Israel has dropped from a high of 4,000 in 1973 to the current level (1981) of 1,012, and because Romanian emigration procedures remain unsatisfactory. He has threatened to discontinue Romania's MFN status for 1983 if this trend continues. The waiver authority and its application to these countries will continue by operation of law unless a disapproval resolution is passed by either House of Congress within 60 days of the expiration date of the waiver, i.e., by September 1, 1982.

On both May 6 and May 18, Representatives Stephen Solarz and Robert K. Dornan sent "Dear Colleague" letters to each member of the House urging that they sign letters to Presidents Ceausescu and Reagan expressing concern about Romania's emigration policies. Solarz and Dornan cited instances of "oppression" suffered by Christians in Romania and the decline in Romanian emigration to Israel. On June 11 a letter was sent to President Reagan signed by 121 Members of the House.

2. Romania Trade Agreement - The Agreement on Trade Relations between the United States of America and the Socialist Republic of Romania took effect on August 3, 1975, following passage by both Houses of Congress on July 28 of concurrent resolutions approving the extension of MFN to imported products from Romania under a waiver of emigration requirements issued on April 24, 1975 under the section 402 provisions. Passage of the resolution also enables Romania to participate in any U.S. program extending credit or credit guarantees or investment or investment guarantees.

As provided under section 405(b)(1), the trade agreement itself under which MFN treatment is extended to Romania was limited to an initial period of no more than 3 years from its entry into force, on August 3, 1975. The agreement may be renewed for additional periods, each not to exceed 3 years if two conditions are met: (1) a satisfactory balance of concessions in trade and services has been maintained under the agreement; and (2) the President determines that actual or foreseeable reductions in U.S. tariffs and nontariff barriers resulting from multilateral trade negotiations are satisfactorily reciprocated by the other party.

The President included a memorandum to the Secretary of State stating his finding and determination with respect to both of these conditions in his recommendation to the Congress on June 2, 1978 for waiver extension. The memo does not include any background information on which the conclusion was based. Article XIII(d) of the agreement states that it "shall be extended for successive periods of three years each unless either Party has notified in writing, the other Party of the termination of this Agreement at least 30 days prior to its expiration", i.e., prior to July 3, 1978, in this case. Thus, since neither House adopted a disapproval resolution with respect to the extension of the waiver authority in 1978, the agreement was extended, by operation of law, for an additional three-year period. In 1981, the Trade Agreement was again extended for another 3 years.

3. Hungary Trade Agreement - On April 7, 1978, the President transmitted to the Congress the text of the Agreement on Trade Relations between the United States of America and the Hungarian People's Republic, signed on March 17, 1978, a proclamation extending MFN treatment to the products of Hungary upon Congressional approval, and a notice of intent to issue a waiver on April 7 of the application of section 402 requirements with respect to Hungary. On April 26, the Subcommittee on Trade favorably reported to the full Committee H.Con.Res. 555, providing for Congressional approval of the extension of nondiscriminatory treatment with respect to the products of the Hungarian People's Republic. The Committee on Ways and Means reported the resolution favorably on May 3 and the House passed it on May by a vote of 209-173.

   The Senate Finance Committee reported the bill S.Con.Res. 76 on June 22 (S. Report 95-949), and it passed the Senate on a voice vote. The Agreement entered into force and MFN treatment was extended to imports from Hungary on July 7, 1978, the date on which the exchange of written notices of acceptance took place. The Hungarian Trade Agreement was automatically extended for another three years until July 7, 1984, since the President did not take any action within the prescribed period of time (30 days before scheduled date of expiration, July 7, 1981) to terminate it.

4. China Trade Agreement - On October 23, 1979, the President transmitted to the Congress the text of the Agreement on Trade Relations between the United States of America and the People's Republic of China (PRC) signed on July 7, 1979, a proclamation extending MFN treatment to the products of the PRC upon Congressional approval, and a notice of intent to issue a waiver on October 23 of the application of section 402 requirements with respect to the PRC. On December 11, the Subcommittee on Trade favorably reported by voice vote to the full Committee H.Con.Res. 204, providing for Congressional approval of the extension of non-discriminatory treatment with respect to the products of the PRC. The Committee on Ways and Means ordered the resolution favorably reported by a roll call vote of 24-8, on December 13 (H. Report 96-733) and the House passed it on January 24, 1980 by a vote of 294-88.

   The Senate Finance Committee reported S.Con.Res. 47 on January 10. The Senate passed H.Con.Res. 204 by a vote of 74-8 on January 24. The Agreement entered into force and MFN treatment was extended to imports from the PRC on February 1, 1980, the date on which the exchange of written notices of acceptance took place.

II. Emigration Performance and Procedures

A. Romania

1. Emigration Performance

a. U.S. Romanian Emigration - Since the grant of Most Favored Nation trading status to Romania in 1975, the trend of Romanian emigration to the U.S, has increased from a low of 890 to a high of 2,886 in 1980. Emigration to the U.S. declined by 18 percent in 1981 to 2,352. The figures for the first five months of 1982 indicate a steady flow of Romanian immigrants to the U.S. comparable to the 1981 level.

b. Emigration to Other Countries

1. Federal Republic of Germany - While no figures are available for Romanian emigration to the Federal Republic of Germany prior to 1975, the number of emigrants has fluctuated from a low of 4,085 in 1975 to a high of 12,946 in 1980. The total number of emigrants to the Federal Republic of Germany from 1975 until 1981 was 51,565. The high level of emigration of 1980 (12,946) fell to more traditional levels in 1981 (8,619), representing a decrease of 33%.

2. Israel - Emigration from Romania to Israel remains below emigration levels which existed prior to extension of MFN. In 1981, emigration to Romania declined slightly from 1980 levels, falling to 1,012 from 1,061 the previous year. Immigrantt visas issued by the Embassy of Israel in Bucharest for January through May 1982 totalled only 296. The Government of Romania claims, however, it issued 621 approvals for emigration during the 5 month period. The discrepancy can be partly explained by the lag time involved between approval for emigration and actual issuance of immigrant visas by the Israeli Embassy. (See practices and procedures section below.)

There is concern, however, that emigration levels are not satisfactory. President Reagan voiced those concerns in his recommendation for renewal of MFN treatment for Romania for 1982. Any evaluation of statistics on Romanian emigration to Israel must take into consideration that the Romanian Jewish community is relatively small (estimated at 35 to 40 thousand) and that a significant percentage of the community is comprised of elderly individuals who probably do not wish to emigrate. Howevewr, there are strong indications that there is a sizable backlog of Romanian Jews seeking to emigrate to Israel. President Reagan cited at least 652 outstanding cases, some of which have remained unresolved for a long period of time.

The Government of Romania reports that 485 of those cases have been approved, 66 are in final stages of approval, and 60 are under active consideration. The remaining 41 cases, the Romanians report, consists of 3 persons who have died, 8 who have withdrawn their applications, and 30 persons who have never requested permission to leave Romania. The U.S. Embassy in Bucharest does believe that this information is accurate. What is not clear, however, is the primary reason for delays in departures following issuance of approval to emigrate by the Romanian Government.

In prior years, the issue of Israeli emigration has been made contentious by the lack of an accurate estimate of the number or identity of Romanians who wish to emigrate to Israel. As a means of resolving this problem, a "joint understanding" was reached between the Romanian Government and the Presidents' Council of Major Jewish Organizations in order to establish some form of data base on the number of individuals actually desiring to emigrate to Israel.

The most significant aspect of this understanding is the provision allowing for a parallel application process to go through the Chief Rabbi in Romania, which enables the independent Jewish organization to monitor directly the progress (or lack thereof) of Jewish emigration from Romania to Israel.

The "understanding" provides that:

(1) The Chief Rabbi is "invited" to announce to the Jewish community that anyone desiring to emigrate is free to do so and their applications would be processed expeditiously.

(2) The Romanian Government would furnish to the Jewish groups an accounting of the number of pending applications by Romanian Jews wishing to emigrate.

(3) A procedure was established allowing Romanian Jews to receive letters of invitation from relatives in Israel.

As a matter of practice, Chief Rabbi Moses Rosen established a list of applicants which he maintains and makes available to the American Embassy and the major Jewish organizations. The list consists of the name, place of residence, and the approximate length of time elapsed since the individual applied to emigrate.

The so-called "Rosen List" has become, on many occasions, a vehicle by which applicants can receive needed attention by outside observers. However, there has been increased concern over the last few years that the number of unresolved cases has been growing.

The most recently received update of the "Rosen List" is current through May 29, 1982. That list contains 1,394 backlogged cases. Of those, 714 reportedly have not been approved. It is difficult to determine whether this list is representative of the current situation of Romanian Jews wishing to emigrate to Israel. Recently, as many as 60 percent of Romanian Jews that have arrived in Israel had never appeared on the "Rosen List."

c. Monitoring of Emigration Practices - In his 1977 recommendation to the Congress for an extension of his waiver authority, the President indicated his intent to monitor closely compliance with the objectives of the emigration requirements of Title IV, and to bring to the attention of the Romanian government any actions or emigration trends that do not appear to conform to the assurances which they have provided in the past to treat emigration cases in a humanitarian manner. In keeping with that statement, the U.S. Government continues to present a formal representation list to the Romanian Ministry of Foreign Affairs on a quarterly basis containing the names of qualified immigrants, dual nationals and Romanians who wish to marry U.S. citizens. In addition, diplomatic notes concerning individual cases are presented approximately every 60 days. The Subcommitee receives weekly cables indicating numbers of resolved and pending cases.

2. Emigration Practices and Procedures

a. Romanian Emigration Procedures - Individuals applying for a permanent departure passport are subject to bureaucratic delays, economic retaliation and strong social pressure, some of it officially organized, all of it officially sanctioned, at least informally. The normal process is as follows:

The applicant "applies" for a passport application at the local police (militia) office. Whereas, previously there have been frequent reports that the police refuse to provide these "applications to apply," now the forms appear to be readily available. The total process has not been improved, however, because while the initial application form is available, the application is frequently denied the first time it is made.

When the initial application is made, the applicant and his family are called before a commission which grills them on their desire to leave with emphasis on all the good reasons for desisting. The composition of these commissions appears to vary, except for the presence of police officials; in some instances it is formed of workmates, in others of neighbors. At the same time, investigations of the individual and his family, often focusing on relatives in foreign countries, are conducted. If everything is in order and the employer endorses departure, permission to apply for passports is granted.

Unless special pressure or connections are available, individuals wait at least two months for an answer after submitting their passport applications to the police. Waits are often much longer. It appears that the final decision in all cases is taken by the Central Passport Office in Bucharest, and, in practice, Bucharest applications appear, in general, to be handled more quickly than those from the provinces.

If the decision is favorable, the applicant is informed by the police and told to settle all his affairs. These include relinquishing rental housing, settling bills, paying utility fees, and selling real estate to the State (at a price set by the State, with a maximum of approximately $3,500). Only when these actions have been properly documented is the applicant able to pick up the passport with the exit visa and apply for the foreign entry visa.

All these obstacles constitute hardship in any sense comprehensible to Americans, and the process leaves ample opportunity for what we would consider harassment, on a case-by-case basis. Visiting the Embassy's Consular Section appears to cause no particular problems for Romanians (except for isolated instances of police questioning on which applicants for emigration are surfeited in any case), but applying for documentation to leave the country can provoke a variety of harassing responses from the Government. Individual applicants have indicated that they have lost their jobs, been demoted or transferred to other cities away from their families. Expulsion from the Romanian Communist Party is standard; expulsion from higher education for applicants in universities seems in the process of becoming less the case. Social pressure is frequently applied, and may run from being called a traitor to the fatherland to social ostracism by co-workers and friends. If a State tenant, the applicant may lose his lodging; if he owns his quarters, he must sell it to the State, usually at bargain prices, before the travel document will be issued.

b. U.S. Activities - The Department of State and the American Embassy in Bucharest see their efforts to improve Romanian performance on family reunification as a basic task. Embassy efforts have focused on representations to the Romanian Government on behalf of qualified applicants, in three forms. First, a Representation List formulated on the basis of criteria described elsewhere in this report is presented to the Ministry of Foreign Affairs every 3 months, most recently May, 1982. Second, the Embassy forwards diplomatic notes on individual outstanding cases approximately every sixty days. Third, selected cases of very high interest are intermittently brought to the attention of the Ministry and other Romanian authorities orally, at various levels. Once the prospective immigrant has received travel documents from the Government of Romania, the Embassy assists him or her through rapid processing of the visa application (if qualified), or through facilitation of departure from Romania for third country processing. In cases where the exit visa is due to expire before such procedures are likely to be effective, the Embassy may, if circumstances warrant, assist the prospective immigrant through providing documentation permitting the applicant to depart and apply for relief elsewhere. On the average, each case dealt with by the Embassy requires six to eight interviews and "counseling sessions," several diplomatic interventions and several replies to Congressional correspondence, involving 10-15 man-hours altogether.

c. U.S. Processing of Romanian Immigrants - In addition to the bureaucratic and other obstacles raised by the Romanian Government that must be overcome by a Romanian citizen who wishes to emigrate, there are also conditions imposed by U.S. Immigration law which must be fulfilled. These can either prevent a Romanian citizen from entering the United States altogether, or they may require him to enter the U.S. indirectly after spending a considerable time in a third country.

d. Third-Country Processing - Romanian citizens who do not qualify to enter the United States directly in immigrant status but who receive Romanian passports and exit visas can proceed to the U.S. only by an indirect route. Present procedures require such persons to make a stop-over in Rome or Vienna, where they apply for entry into the United States as refugees. Their applications are reviewed by the Rome or Vienna office of the U.S. Immigration and Naturalization Service and they are cared for by the help of voluntary agencies. Approximately 81% of the individuals who departed from Romania for the United States in 1981 utilized this procedure.

e. Ineligibles - A more difficult problem is raised by Romanian citizens who wish to emigrate to the United States but who are found ineligible under U.S. law to enter this country. The most common grounds for their exclusion are voluntary and active membership in the Romanian Communist Party or convictions for crimes of moral turpitude. The number of persons in this category is much smaller; on the average, there are about 40-60 per year who wish to go to the United States.

Because they are excluded under U.S. law, our Embassy in Bucharest cannot arrange for them to enter the United States. Where possible, it tries to be helpful in arranging for them to proceed to a third country, but if a third country is not willing to receive them, there may be no alternative to their staying in Romania.

f. Israeli Processing of Prospective Immigrants - Israeli procedures for processing prospective immigrants are quite different from those described for entry into the United States. In most cases, the individual applies for departure from Romania according to the general procedures outlined in section 1 above without consulting the Israeli Embassy. Similarly, the Romanian Government decides whether to issue a passport without consulting the Israeli Embassy regarding the applicant's eligibility for entry or informing that Embassy that potential Israeli emigrants are being processed. The Israeli Embassy states that the Ministry of Foreign Affairs periodically sends lists of intending emigrants for Israel together with their passports to the Israeli Embassy which only then interviews each applicant. The Israelis conduct a single comprehensive interview, in which eligibility is established according to the Israeli law of return. After Israeli Embassy approval, the passports are returned to the MFA to be distributed to the emigrants after final Romanian exit approval is obtained. The fact that all passport applications are approved prior to the Israeli eligibility interview has resulted in a number of applications for emigration who are ultimately rejected by the Israelis for entry into Israel. These persons frequently find their way to the U.S. Embassy, where they request U.S. immigration visas.

Israeli Embassy policy toward Jewish emigration from Romania must be regarded as passive. The Embassy intervenes in individual cases only infrequently, and it claims not to have any means of knowing who is granted Romanian exit documents for Israel, much less who has applied.

ANNUAL ROMANIAN EMIGRATION

1971 - 1982

All figures represent Immigrant Visas issued by the respective Embassies in Bucharest in the calandar year indicated. The figures are supplied by the respective embassies from their visa issuance records. These figures will vary somewhat from the number of emigration cases approved by the Romanian Government, the actual departures from Romania, and the actual arrivals at countries of destination.

YEAR	U.S.A.	ISRAEL	F.R.G.
1971	362	1,900 (approx.)	*
1972	348	3,000 (approx.)	*
1973	469	4,000 (approx.)	*
1974	407	3,700 (approx.)	*
MOST FAVORED NATION TRADING STATUS GRANTED -- 1975			
1975	890	2,000 (approx.)	4,085
1976	1,021	1,989	2,720
1977	1,240	1,334	9,237
1978	1,666	1,140	9,827
1979	1,552	976	7,957
1980	2,886	1,061	12,946
1981	2,352	1,012	8,619
TOTAL (1971-81)	13,238	22,112	51,565
(Jan.-May 1982)	1,058	296	3,617

* not available

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1975

		Immigrant Visas Issued by Embassy Bucharest
January		27
February		13
March		14
April		24
May		20
June		29
July		110
August		182
September		181
October		131
November		62
December		97
	Total	890

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1976

	Immigrant Visas Issued by Embassy Bucharest
January	74
February	87
March	130
April	97
May	77
June	111
July	96
August	104
September	74
October	40
November	66
December	65
Total	1,021

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1977

		Immigrant Visas Issued by Embassy Bucharest
January		69
February		59
March		139
April		101
May		129
June		106
July		111
August		151
September		106
October		101
November		94
December		62
	Total	1,228

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1978

		Immigrant Visas Issued by Embassy Bucharest
January		69
February		96
March		65
April		99
May		120
June		122
July		142
August		207
September		189
October		251
November		179
December		206
	Total	1,745

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1979

		Immigrant Visas Issued by Embassy Bucharest
January		77
February		106
March		102
April		67
May		103
June		57
July		109
August		124
September		205
October		241
November		168
December		193
	Total	1,552

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1980

	Immigrant Visas Issued by Embassy Bucharest
January	171
February	216
March	234
April	236
May	240
June	188
July	273
August	236
September	276
October	308
November	251
December	223
Total	2,882

ROMANIAN EMIGRATION TO THE UNITED STATES

MONTHLY TOTALS

1981

		Immigrant Visas Issued by Embassy Bucharest
January		240
February		252
March		183
April		207
May		212
June		188
July		184
August		139
September		200
October		164
November		173
December		205
	Total	2,347

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1975

	Number of Immigrants
January	62
February	41
March	102
April	60
May	46
June	199
July	403
August	238
September	262
October	350
November	130
December	115
Total	2,008

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1976

		Number of Immigrants
January		328
February		232
March		99
April		51
May		143
June		211
July		237
August		238
September		117
October		118
November		79
December		136
	Total	1,989

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1977

		Number of Immigrants
January		46
February		62
March		113
April		132
May		105
June		109
July		70
August		113
September		181
October		197
November		118
December		88
	Total	1,334

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1978

	Number of Immigrants
January	63
February	73
March	96
April	77
May	148
June	111
July	90
August	90
September	93
October	91
November	89
December	91
Total	1,112

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1979

		Number of Immigrants
January		54
February		31
March		47
April		67
May		61
June		60
July		58
August		74
September		120
October		140
November		158
December		120
	Total	990

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1980

	Number of Immigrants
January	57
February	52
March	87
April	74
May	90
June	57
July	127
August	103
September	131
October	106
November	83
December	94
Total	1,061

ROMANIAN JEWISH EMIGRATION TO ISRAEL

1981

	Number of Immigrants
January	67
February	44
March	48
April	55
May	64
June	59
July	92
August	90
September	158
October	80
November	109
December	146
Total	1,012

B. Hungary

1. Emigration Performance

The number of emigration problem cases has varied from a low in mid-1975 of three to a high of thirteen which involved 24 individuals. In 1981, eleven emigration problem cases arose involving 23 individuals. Two of these cases were resolved, settling the emigration problems of five persons. During the first five months of 1982, four cases were resolved and one was added. By June, 1982, the total number of emigration problem cases was six, involving thirteen persons.

One case involving four individuals has been outstanding since December, 1977. There are also two cases which have been pending since May, 1980. Two more cases have remained unresolved since November of last year, since they were first presented to the Hungarian Government by the U.S. Embassy at Budapest. The sixth outstanding case was first presented to the Hungarian Government in May of this year. Fifty-one problem cases have been presented to the Government of Hungary by the U.S. Embassy in Budapest since September 1975. These emigration problem cases have involved 88 individuals. Six of these cases were dropped, while 39 have been formally resolved.

Attached are tables showing an accounting of Hungarian emigration problem cases from September, 1975 until May, 1982 and visa statistics from Hungary for 1981.

2. Emigration Practices and Procedures

Hungary's emigration law is ostensibly strict but is applied with considerable flexibility. The law stipulates that only Hungarians over the age of 55 and leaving to join close relatives abroad may normally emigrate. But authorities have considerable discretionary authority to make exceptions to the restrictions in individual cases. For example, Hungarian women who marry U.S. citizens or permanent residents are freely permitted to depart irrespective of age.

We have carefully monitored Hungarian emigration practices since Hungary signed the Helsinki Final Act in August 1975. Hungarian statements indicate and our own experience since 1975 has verified that about 90% of emigration applications are approved without undue difficulty. There are evidently no employment, medical care, housing or other official sanctions applied against Hungarians seeking to emigrate. There is no Jewish or minority-related emigration problem. Emigration application forms and instructions are readily available. Application and passport fees are modest, totalling about $75 per adult applicant. Emigrants may take a modest amount of personal belongings and furnishings with them.

HUNGARY -- EMIGRATION PROBLEM CASE ACCOUNTING -- 9/75 - 5/82

Underlined dates indicate when cases were first presented to the Hungarian Government by the U.S. Embassy at Budapest. Figures in parentheses indicate numbers of individuals.

Codes:
*favorably resolved
# dropped; abandoned emigration efforts
o unresolved - pending as of 5/27/82

9/75		
Szabo	(2)	*11/76
Hajos	(1)	#
Basco	(2)	#
Csatari	(1)	#
Bohacs	(1)	*1/76
Piros	(2)	*11/75
Szalai	(2)	*4/76
Petus	(1)	*8/76
Somogyi	(4)	*11/77
3/76		
Frater	(1)	*7/76
Mihalik	(2)	*9/76
Faro	(1)	*12/77
8/76		
Bucsanyi	(1)	*8/77
Dobos	(3)	*8/77
Farkas	(1)	*8/77
9/76		
Kardos	(1)	*10/77
1/77		
Vanda	(1)	*6/77
12/77		
Harsay	(3)	*5/78
Benkovitch	(1)	*1/79
Vahl	(2)	*7/78
Chambre	(2)	*4/78
Kabat	(4)	o
Visegradi	(1)	*7/78
4/78		
Baraz	(1)	*4/80
Laki	(1)	*9/78
Valy	(1)	*1/79
6/78		
Cserenko	(1)	*10/79

1/79		
Dianovics	(4)	#9/79
Herczeg	(1)	*4/80
Pajtenyi	(1)	*9/79
Stangl	(1)	#10/79
Szego	(2)	*7/79
Wasserman	(1)	*2/79
3/79		
Gaal	(1)	*4/79
Zsoldos	(2)	*3/80
10/79		
Patko	(1)	*7/80
Weiser	(2)	*6/80
Fulop	(4)	*2/80
5/80		
Hegedus	(2)	*3/81
Vidak	(4)	o
Fekete	(2)	o
Keresztes	(1)	*7/80
Stehli	(3)	*6/80
10/80		
Arato	(3)	*1/81
11/81		
Kiss	(1)	*5/82
Toth	(1)	*4/82
Balog	(1)	o
Szalacsi	(3)	*2/82
Nemenyi	(1)	*2/82
Zoboki	(1)	o
5/82		
Skorka	(1)	0

Totals

Cases Presented	51	(88)
Cases dropped	6	(10)
Formally Resolved	39	(65)
Pending 6/17/82	6	(13)

VISA STATISTICS -- HUNGARY

CALENDAR YEAR 1981:

Total Immigrant Visas Issued	127	
Total Nonimmigrant Visas Issued (Revalidated and Transferred)	11,790	
Total Emigration Problem Cases	11	(23 individuals
Total Emigration Problem Cases Resolved	2	(5 individuals)

JANUARY - MAY 1982:

Total Emigration Problem Cases Resolved	4	(6 individuals)
Total Emigration Problem Cases Added	1	(1 individual)

JUNE 1982:

Total Emigration Problem Cases Pending	6	(13 individuals

June 1982

Refusals, when they occur, usually stem from the fact that an applicant's close relative has recently gone abroad or remained abroad illegally under Hungarian law, or because of an applicant's liability for military service. While always careful to observe its position that emigration matters involve the exclusive jurisdiction of Hungarian law over Hungarian citizens, the Hungarian Government is willing to accept U.S. diplomatic representations on individual problem cases provided that the representations are couched in nonpolitical and serious humanitarian terms. While during the pre-Helsinki period resolution of problem cases would take five years or more, a number of cases which the U.S. Embassy has presented have been favorably concluded after delays from several months to a year. In general, if refused applicants seriously wish to emigrate and persist with repeated exit permission applications and appeals, they will eventually be allowed to depart.

C. People's Republic of China

1. Emigration Performance

The numerical limits imposed on U.S. entry under our immigration law continue to be viewed by the Administration as the major obstacle to immigration from China rather than PRC exit controls. Until this year, the annual fiscal year quota on U.S. immigration of Chinese-born from all countries in the world (including Taiwan) has been 20,000, subdivided into five categories, each limited to a fixed percent of the total each year. In addition, an estimated 5,000-6,000 immediate relatives, which can enter without limit, have entered annually for a total U.S. immigration of about 25,000 Chinese per year.

In the past year, the U.S. Embassy in Peking has authorized 7,200 immigrant visas. There were 50,000 Chinese emigrants to Hong Kong during calendar year 1981. The U.S. Immigration Service also has approved 90,000 emigration petitions which await U.S. entry visas. Starting in 1982, a separate quota has been created for emigrants from Taiwan. Therefore, more mainland Chinese will be granted entry visas since the existing quota will no longer have to be allocated between Taiwanese and mainland Chinese emigrants.

2. Emigration Practices and Procedures

China's commitment to more liberal emigration was confirmed by its signing in September, 1980, of a bilateral Consular Convention with the United States. In an exchange of notes accompanying the Convention, both nations agreed to facilitate the reunification of families and to facilitate travel between their respective countries of people considered to have claims to dual nationality.

Chinese wishing to emigrate must establish eligibility for one of the qualifying categories. These categories include overseas Chinese (ethnic Chinese who are nationals of other countries), other foreigners residing in China, stateless persons, Chinese who have relatives living abroad, persons who need to travel abroad to settle estates or take over family businesses, students and officials traveling on state business. The applicant must also show some evidence that he is admissible to the country of his destination.

In early 1978 broad instructions to facilitate existing procedures for Chinese who wanted to join their families abroad were issued to local authorities. Since then, there has been a relaxation of Chinese emigration procedures. Under present practices an intending emigrant submits his request for an exit permit to the personnel office of his work unit. His request includes a report of his reasons for emigrating or traveling abroad. Along with the report, the applicant must submit an invitation to travel abroad and assurances that his living expenses will be covered while out of the country.

Issuance of a formal exit permit application form is authorized upon approval of the applicant's report by the personnel office of his work unit. The fee for the application form is nominal (about U.S. $0.10). Issuance of the application form in most cases is tantamount to approval of the export permit, since approval of the application is largely a formality. The fee for an exit permit and passport is about U.S. $1.70.

Prior to 1978, processing of exit permit applications took 4-6 years. Since early 1978, the time required to process applications has been substantially reduced, but still varies from place to place. The period from time of application to issuance of an exit permit is generally 3 to 10 weeks. However, some encounter long delays, sometimes as long as 6 months, to obtain exit permits and passports, particularly in outlying rural areas or in localities with heavy emigration application workloads. The U.S. Embassy and two consulates make representations to Chinese officials in cases of six-month delays; issuance of permits has been rapid thereafter.

While the present PRC policy toward emigration is comparatively non-restrictive and is generally directed toward facilitation of exit procedur there are some general restrictions. The applicant cannot be the subject of a pending criminal complaint nor be imprisoned, nor can he have failed to settle outstanding debts. Members of the Communist Party, People's Liberation Army, Public Security Bureau, and Railway Corps are believed to be prohibited from emigrating for security reasons. China is concerned about a potential brain and cultural drain and has apparently been reluctant to issue passports to some persons whose emigration might create gaps in its modernization efforts. There is, however, no evidence that China has inhibited the emigration of those with legitimate family ties abroad.

There has been some disparity noted among localities with regard to formulation and implementation of general emigration policies. While some authorities advise emigration applicants in writing to not resign their jobs or cancel their household registers until their foreign visas have been issued, other localities make resignation of jobs and cancellation of household registers a condition of exit permit issuance. Such a requirement tends to deter exit permit applications because it is difficult to reverse should the foreign visa be refused, and could leave the applicant without ration tickets or income for months.

Unofficial discouragement of emigration is not common, but does exist. Work units or neighborhood committees sometimes pressure relatives of an intending emigrant to "educate" him on the reasons why he should remain in China. However, while such pressures may act as a deterrent, they are clearly not an insurmountable barrier to emigration since every reported example involved a person already approved for exit.

III. Trade and Economic Performance

A. Romania

1. Review of U.S. Romanian Trade

U.S.-Romanian trade turnover edged up to a new high of $1.065 billion in 1981. U.S. exports declined from $722 million in 1980 to $504 million last year, while U.S. imports increased from $311 million to $561 million. These figures are a reflection of severe Romanian import-curtailing measures taken in response to the difficult hard-currency debt problem.

The decline in U.S. exports, from 1980 to 1981, affected both manufactured goods and agricultural commodities. The largest decreases were in manufactures and machinery categories. The increases in U.S. imports from Romania were primarily in mineral fuels and machinery categories. Romania's second largest export to the U.S. in 1981 was iron and steel plates and sheets. Currently, imports of Romanian steel are subject to an anti-dumping investigation. The ITC preliminary determination was affirmative. Commerce will issue its preliminary dumping determination in August.

Romania has fared poorly in the changing structure of international trade in recent years. The country has become a heavy importer of oil in a period of sharp world energy price increases, causing an additional burden on its balance of payments. At the same time Romania is also in transition from a rapidly growing less-developed economy to a medium-developed country with slower growth. The result has been rather severe debt problems over the last year. Because of its debt situation and the difficulty it has encountered obtaining credits, Romania has taken steps to control hard-currency expenditures. Outlays will be sharply curtailed in the next few years as the Romanian Government tries to reduce its total foreign debt. Under an IMF-endorsed stabilization program foreign trade activities will continue to be reorganized. Domestic investment is being concentrated on projects already started, but not completed, in previous annual plans.

VOLUME AND COMPOSITION OF U.S.-ROMANIAN TRADE
(Millions of U.S. Dollars)

US Exports	1979	1980	1981	Jan-Mar. 1981	Jan-Mar. 1982
Manufactured	100.3	134.4	51.7	20.2	20.7
Agricultural	336.5	462.6	368.4	151.0	56.6
Other	63.7	123.2	83.8	20.3	13.9
TOTAL	500.5	720.2	503.9	191.5	91.2

US Imports	1979	1980	1981	Jan-Mar. 1981	Jan-Mar. 1982
Manufactured	230.0	229.4	377.5	67.5	66.3
Agricultural	34.0	30.2	27.9	10.5	7.1
Other	65.6	52.6	154.7	29.7	17.5
TOTAL	329.6	312.2	560.1	107.7	90.9
TRADE TURNOVER	830.1	1032.4	1064.0	299.2	182.1
TRADE BALANCE	170.9	408.0	-56.2	83.8	.3

U.S.-ROMANIAN TRADE

January - April, 1981 and 1982

(Millions of U.S. Dollars)

	Jan-Apr. 1981	Jan-Apr 1982*
US Exports	273.2	123.3
US Imports	183.8	128.1
Trade Turnover	457.0	251.4
US Balance	+89.4	-4.8

* Most Recent Figures Available

LEADING U.S. EXPORTS TO ROMANIA
1977-81
(Millions of U.S. Dollars)

1981 Rank	1977	1978	1979	1980	1981
1. Corn or maize	15.8	22.7	104.2	158.2	226.9
2. Animal feed	9.5	8.6	57.0	69.2	86.7
3. Bituminous coal	53.6	32.4	29.1	61.2	40.9
4. Sulfur	0.0	0.0	2.7	7.2	22.0
5. Cattle & horse hides	26.7	52.2	59.7	28.8	22.0
6. Wheat	16.0	0.0	12.5	89.1	17.9
7. Cigarettes	---	---	---	---	8.4
8. Cotton	---	---	---	---	7.0
9. Tires	---	---	---	---	6.4
10. Automated office machines	---	---	---	---	4.2
11. Pulp and waste paper	---	---	---	---	3.8
12. Measuring & controlling instruments	6.8	5.9	5.8	11.5	3.4
13. Vehicle and tractor parts	---	---	---	---	3.2
14. Synthetic-Organic pesticides	---	---	---	---	3.2
15. Machinery for welding & soldering	---	---	---	---	2.7
SUBTOTAL	128.4	121.8	271.0	425.2	458.8
TOTAL EXPORTS	259.4	317.4	500.5	720.2	503.9

Note: In years 1977-80, commodities marked with (---) did not appear on leading exports list

LEADING U.S. IMPORTS FROM ROMANIA
1977-81
(Millions of U.S. Dollars)

1981 Rank	1977	1978	1979	1980	1981
1. Gasoline & other motor fuels	---	---	---	---	90.2
2. Iron & steel plates, sheets	0.0	14.6	7.2	12.0	87.8
3. Lubricating oil & greases	---	---	---	---	50.0
4. Leather footwear	20.4	35.4	41.1	41.6	39.2
5. Oilwell casings,	---	---	---	---	38.2
6. Pumps and parts	---	---	---	---	23.3
7. Furniture & parts	6.7	11.3	14.6	15.7	18.4
8. Meat in airtight containers	14.8	21.7	25.2	19.5	17.2
9. Glassware	5.2	8.9	12.9	12.5	14.4
10. Non-electric mach. parts	4.2	6.9	12.8	11.7	14.2
11. Railway cars	---	---	---	---	12.6
12. Sweaters & outerwear	9.6	13.8	9.8	12.2	12.4
13. Tractors	7.4	8.2	10.7	11.2	11.9
14. Parts for railway cars	0.0	0.0	19.7	30.4	9.2
15. Fuel oils	---	---	---	---	8.9
SUBTOTAL	68.3	120.6	154.0	166.8	447.9
TOTAL	233.3	346.6	329.3	312.2	560.1

Note: In years 1977-80, commodities marked with (---) did not appear on leading imports list

2. Romanian Financial Situation

As early as mid-1981, it became apparent that Romania was encountering financial difficulties accumulationg commercial arrears and falling behind on bank payments. In mid-1981 many Western banks cut off short-term lending to Romania. Among the reasons for this move were: growing arrearages in amounts due to the banks themselves; widespread delays in payments to suppliers; heightened fears about lending to East European governments because of Poland's call for a debt rescheduling; and suspicions resulting from Romania's refusal to be open with the bankers about hard-currency holdings and flows. The evaporation of credits which ensued exacerbated Romania's payment problems. By the end of 1981, the Romanians had accumulated more than $1.2 billion in commercial arrears and were thus in non-compliance with their three-year IMF program. That IMF standby arrangement was suspended in late 1981.

Romania's gross short medium and long-term debt at the end of 1981 (including the above commercial arrearages) totalled approximately $10.7 billion of which $2.1 billion was official/ guaranteed debt, $6.97 billion was private unguaranteed debt, and $1.63 billion was owed to the IMF. Total debt service in 1982 amounts to roughly $5.0 billion including $2.0 billion in short-term debt and $1.0 billion in interest payments.

The Romanians approached their private bank creditors in early 1982 with a request to reschedule both short-term arrears and 1982 medium/long-term debt maturities. Negotiations are currently proceeding on a $2.1 billion rescheduling package. The Romanians also have requested officially that a Paris Club be convened to reschedule debt owed Western governments. However, a Paris Club had been delayed until the IMF Executive Board approves a new program for Romania. IMF Executive Board approved a new standby arrangement on June 21, 1982.

U.S. official and private exposure in Romania totals $738.6 million. This breaks down as follows: EXIM BANK ($283.7 million), CCC ($98.9 million), and private banks ($356 million).

3. U.S.-Romanian Economic/Commercial Relations

In recent years U.S.-Romanian economic/commercial relations have continued to grow and trade has expanded due, in part, to both governments' efforts to create a framework for the development of trade and economic cooperation.

The United States has supported the expansion of its exports to Romania by extending financing programs (Eximbank and CCC) and by granting Romania both MFN tariff status and preferential tariff treatment (GSP). In 1981, $108.5 million worth of Romanian exports entered the United States duty free under GSP.

Romania has sought to integrate its economy into the world economic system and to make its foreign trade system more responsive to Western firms. Romania is a member of the GATT, IMF and World Bank, allows foreign equity ownership in joint companies with Romanian partners, and permits foreign firms to open representation offices in Romania.

Numerous bilateral agreements have been signed, and subsequently renewed. The most important of these was the August 1975 U.S.-Romanian Trade Agreement which was renewed last year for another three years. Besides agreements, important bodies have been established for the development of economic/commercial relations, including the Joint American-Romanian Economic Commission, which monitors and discusses trade issues, and the Romanian-U.S. Economic Council, which facilitates increased contact between U.S. firms and Romanian companies.

High level economic visits have continued between the two countries. In the past year the Romanian Ministers of Finance and Machine Building and the head of Romania's Foreign Trade Bank visited Washington. Commerce Secretary Baldrige visited Romania in May 1981 and Secretary of State Haig travelled to Bucharest in February 1982. The Romanian Minister of Foreign Trade, Nicolae Constantin, was in Washington June 28-29, 1982 in conjunction with the Eight Session of the Joint American-Romanian Economic Commission meeting.

4. Business Climate in Romania

Since 1975, the business climate in Romania has improved through the Romanian Government's efforts to develop business practices suited to cooperation with U.S. firms and to attract greater numbers of U.S. business representatives to Romania.

Stipulations of the Trade Agreement pertaining to business facilitation are observed and provide an environment which is beneficial to commerce. Bilateral discussions to improve facilities and services for the U.S. business community are on-going. These include procedures for establishing an office in Romania, customs regulations, inceased rents and business costs in Romania, and taxation of US. businessmen and their offices in Romania.

Because of increasing deficits in its hard currency foreign trade, Romania is enforcing stringent trade and monetary policies aimed at balancing foreign trade. Current Romanian foreign trade law requires that Romanian imports be balanced with exports, and Romania seeks 100% countertrade in sales contracts for most industrial products. While some larger U.S. firms can easily manage countertrade requirements, other, particularly smaller firms, cannot. The US. Government has urged the Romanian Government to be more flexible regarding countertrade demands.

While frequently lengthy, most contract negotiations proceed normally and contracts are implemented without difficulty. Prolonged and costly negotiations in Romania do tend to keep smaller U.S. firms out of the market. When disputes arise, there are several means available by which to resolve them, including the arbitration provisions of the U.S.-Romanian Trade Agreement and the conciliation mechanism of the Romanian-U.S. Economic Council. Most disputes are resolved short of arbitration.

The number of U.S. firms represented in Romania has grown in recent years to 32 and represents a broad range of products and services. Some firms are represented directly from the United States while others use their European subsidiaries. Manufacturers Hanover Trust has had an office in Bucharest since 1974, which is the only U.S. bank branch in Eastern Europe. Also, Control Data Corporation (CDC) has an equity joint venture in Romania, of which CDC owns 45%. The joint venture, which manufacturers computer peripherals for sale in Romania, Eastern Europe and the West has been in operation since 1974.

Questions, about Romania's ability to pay became a significant deterrent to trade expansion during the past year. Given Romania's austerity measures, the business climate has become somewhat less attractive than it was in years past. However, Romanian countertrade demands, U.S. export controls, the financial situation, and other commercial constraints, have not prevented competitive American firms from doing business there.

B. Hungary

1. Review of U.S.-Hungarian Trade

Increases in U.S.-Hungarian trade levels have accompanied the improvement of commercial relations between the two countries. Trade turnover increased from $126 million in 1977 to $206 million in 1981, according to U.S. trade data, and to $377 million using Hungarian figures. U.S. statistics report only direct shipments to Hungary, while Hungarian reporting includes sizeable amounts of U.S. goods transshipped through West European ports and European-based subsidiaries or through agents of U.S. companies. Bilateral discussions on resolving the statistical discrepancy have taken place in past years.

We expect only modest improvement in total U.S.-Hungarian trade for 1982. World recessionary trends and limited credit availability have slowed Hungary's domestic and foreign trade growth. Hungary can be expected to maintain existing trading patterns in 1982. Imports from the U.S. are expected to remain at last year's levels, while Hungarian exports to the U.S. should increase slightly. Manufactured goods represent an increasing share of U.S.-Hungarian trade, comprising over half of all U.S. exports and 3/4 of all U.S. imports. Hungarian exports include electrical lamps, articulated buses, and clothing. Major U.S. exports have been agricultural equipment and specialized industrial machinery, as well as agricultural products such as soymeal and cattle hides.

VOLUME AND COMPOSITION OF U.S.-HUNGARIAN TRADE
(Millions of U.S. Dollars)

US Exports	1979	1980	1981	Jan-Mar. 1981	Jan-Mar. 1982
Manufactured	52.4	54.0	63.5	21.9	18.6
Agricultural	24.5	24.4	12.9	1.8	2.5
Other	.7	.6	1.1	.3	.4
TOTAL	77.6	79.0	77.5	24.0	21.5

US Imports	1979	1980	1981	Jan-Mar. 1981	Jan-Mar. 1982
Manufactured	75.6	75.8	93.1	23.2	27.7
Agricultural	35.9	31.3	34.0	12.1	7.9
Other	.7	.4	1.5	.4	.1
TOTAL	112.2	107.5	128.6	35.7	35.7
TRADE TURNOVER	189.8	186.5	206.1	59.7	57.2
TRADE BALANCE	-34.6	-28.5	-51.1	-11.7	-14.2

U.S.-HUNGARIAN TRADE

January-April, 1981 and 1982

(Millions of U.S. Dollars)

	Jan-Apr. 1981	Jan-Apr 1982*
US Exports	31.1	28.6
US Imports	45.0	45.4
Trade Turnover	76.1	74.0
U.S. Balance	-13.1	-16.8

*Most Recent Figures Available

LEADING U.S. EXPORTS TO HUNGARY
1977-81
(Millions of U.S. Dollars)

1981 Rank	1977	1978	1979	1980	1981
1. Vehicle & tractor parts	6.0	5.5	4.1	7.9	7.4
2. Phosphatic fertilizers	---	---	---	---	7.3
3. Cotton	---	---	---	---	3.8
4. Specialized industrial machinery	---	---	---	---	3.5
5. Cattle hides	4.3	4.2	5.4	2.1	3.0
6. Measuring & controlling instruments	2.3	2.7	3.1	3.8	2.6
7. Glass rods, tubes	1.5	2.3	2.2	2.9	2.4
8. Agricultural machinery for cultivation	---	10.9	3.6	3.3	2.2
9. Drugs, bulk	0.2	1.4	1.0	4.2	2.2
10. Internal combustion eng.-piston-type	---	---	---	---	1.5
11. Tractors, wheel-type	---	---	---	---	1.3
12. Live cattle	---	---	---	---	1.3
SUBTOTAL	14.3	27.0	19.4	24.2	38.5
TOTAL	79.7	97.7	77.6	79.0	77.5

Note: In years 1977-80 commodities marked with (---) did not appear on leading exports list

LEADING U.S. IMPORTS FROM HUNGARY
1977-1981
(Millions of U.S. Dollars)

1981 Rank	1977	1978	1979	1980	1981
1. Parts for motor vehicles	4.0	1.2	23.2	25.6	30.4
2. Meat & meat preparations	---	---	---	---	23.2
3. Motor buses	---	---	---	---	10.0
4. Sealed beam lamps	4.1	5.9	8.3	8.2	9.6
5. Footwear	1.9	6.4	5.6	9.7	7.2
6. Drugs, benzenoid	---	---	---	---	2.0
7. Glassware	0.7	0.7	1.2	1.9	1.9
8. Furskin, undressed	---	---	---	---	1.9
9. Typewriters	0.3	1.6	4.2	2.4	1.9
10. Prepared pork	20.0	26.4	23.2	22.8	1.8
11. Alcoholic beverages	---	---	---	---	1.7
12. Men's & boys' outerwear	0.3	0.9	4.0	2.9	1.5
SUBTOTAL	31.3	43.1	69.0	73.5	93.1
TOTAL	46.6	68.5	112.2	107.5	128.6

Note: In years 1977-80, commodities marked with (---) did not appear on leading imports list

COMPARISON OF US AND HUNGARIAN STATISTICS FOR U.S. EXPORTS TO HUNGARY (1980 & 1981)

(BY SINGLE DIGIT SITC CATEGORIES IN MILLIONS OF DOLLARS)

	1980			1981		
Categories	U.S.	Hung.	Difference	U.S.	Hung.	Differenc
0-Food & Live Animals	19.40	38.10	18.70	3.23	23.70	20.47
1-Beverages & Tobacco	0.42	0.80	0.38	0.00	1.30	1.30
2-Crude Materials except fuels	4.70	45.80	41.10	9.98	24.30	14.32
3-Mineral Fuels, Lubricants	0.02	0.50	0.48	0.20	5.70	5.50
4-Animal & vegatable oils	0.00	0.00	0.00	0.02	0.00	0.02
5-Chemicals	9.16	53.90	44.74	15.95	45.90	29.95
6-Manufactured Goods	11.18	19.80	8.00	6.66	21.30	12.64
7-Machinery & Transport Equip.	25.50	64.30	38.80	34.38	87.60	53.22
8-Misl. Manufactures	6.70	17.10	10.40	4.63	20.60	15.97
9-Items N/Class	0.30	0.70	0.40	0.65	0.90	0.25
Total	78.00	241.00	163.00	77.51	231.30	153.79

2. Hungarian Financial Situation

Beginning with the introduction of its reform program in 1979, Hungary moved its external hard currency accounts from a sizable deficit to a small surplus in 1980 and 1981. This surplus is projected to increase in 1982. The regime's austerity program, which has held real GNP growth to less than 1 percent annually in 1979-81, is largely responsible for this improvement, and there appears little reason to question the government of Hungary's demonstrated ability to continue to manage its economic affairs efficiently and effectively in the foreseeable future. Despite its level of debt, use of market mechanisms and entry into the IMF will make it easier for Hungary than for other countries to gain the confidence of lenders in 1982.

Hungary's hard currency debt has been relatively stable in recent years and now stands at $8.25 billion, most of which is private, unguaranteed bank financing. Debt service in 1982 is expected to be on the order of $4.5 billion including nearly $3.0 billion on short-term loans. While the Hungarians have encountered some cash-flow difficulties mainly as a result of bank skittishness due to the Polish financial cirsis, the Hungarians will probably be able to raise the necessary financing from both official and private sources to meet their 1982 obligations. In that respect, Hungarian accession to IMF membership in May will enhance Hungarian creditworthiness and provide a financial "safety net."

USG exposure in Hungary (EXIM and CCC) is very small -- $12.3 million as of December 31, 1981. U.S. private bank exposure is about $1.0 billion.

3. U.S.-Hungarian Economic/Commercial Relations

The United States and Hungary have developed a variety of institutions and agreements during the past seven years to facilitate trade. The U.S.-Hungarian Trade Agreement, which took effect in July 1978, is the most important development in commercial relations between the two countries. The Trade Agreement provides for reciprocal extension of Most-Favored-Nation (MFN) tariff treatment, contains market disruption safeguards, addresses business and facilitation issues and stipulates patent and copyright protection.

The U.S.-Hungarian Joint Economic and Commercial Committee was established in March 1979 as a government-to-government institution meeting annually to discuss bilateral trade prospects and provide a forum for the discussion of trade problems. The Joint Committee's Third Session took place in Budapest on May 11-12, 1981 Issues discussed during the Third Session included patent protection for U.S. chemical companies, export licensing matters, industrial cooperation, and business facilitation. The next session of the Joint Committee will be held in the fall of 1982.

High level visits have highlighted U.S.-Hungarian trade relations. Last November, the Hungarian Foreign Trade Minister reviewed bilateral trade issues with senior Government officials in Washington. In May, Deputy Premier Jozsef Marjai visited the U.S. and met with U.S. Government officials, including President Reagan and Vice-President Bush, and Congressional leaders. Both visits also included discussions with leading U.S. business representatives.

Hungary's recent membership in the IMF and application to the World Bank serve to further integrate its economy into the international financial system. Domestically, Hungary has accelerated its economic reform program of market-oriented measures. To stimulate the competitiveness of enterprises, recent government regulations have consolidated and reduced the size of many Hungarian Ministries and encouraged the formation of small and medium-sized industrial enterprises. These measures complement Hungary's long-range program of decentralization and provide a more rational basis for the economy.

4. Business Climate in Hungary

The Hungarian commercial climate continues to be receptive for the conduct of business by U.S. firms. Currently over 60 industrial cooperation projects are in effect between U.S. and Hungarian firms. Hyatt International Corporation has recently opened its Hyatt Atrium Hotel in Budapest, and Eli Lilly and its Hungarian partner finalized an agreement for the joint construction and management of a fermentation plant. Dow Chemical and the First National City Bank of Minneapolis have representation offices in Budapest and other U.S. companies have shown an interest in establishing representation in Hungary.

Hungarian enterprises have shown strong interest in co-production, joint marketing, licensing and exchange of technical information with U.S. firms. As an incentive, Hungarian regulations offer tax benefits, official credits, and preferential treatment for companies participating in industrial cooperation or joint ventures. U.S.-Hungarian commercial cooperation has also extended to joint ventures that operate in the U.S.

5. Patent Issues in U.S.-Hungarian Trade

The patent issue in Hungary has centered on a commercial dispute between a U.S. and Hungarian company. Concerns in past years have also been voiced over extended procedures and delays encountered by U.S. companies in obtaining patent protection.

FMC Corporation has been involved in a patent dispute with the Hungarian chemical enterprise Chinoin and its export trading organization, Chemolimpex, concerning Hungarian sales of an agricultural chemical, carbofuran, to Brazil. Negotiations, facilitated by the Department of Commerce and the U.S. Embassy in Budapest, resulted last December in a preliminary commercial agreement. Currently, FMC Corporation and the Hungarians are very close to a final agreement.

Regarding delays in receiving patent protection in Hungary, both the U.S.-Hungarian Joint Economic and Commercial Committee and the National Agricultural Chemical Association (NACA) have been working with the Hungarians in minimizing patent difficulties encountered by U.S. firms in Hungary.

6. Hungary and International Trading System

Since becoming a Contracting Party to the General Agreement on Tariffs and Trade (GATT) in 1973, Hungary has become an increasingly active participant in the international economic system. During the Tokyo Round of Multilateral Trade Negotiations (MTN), Hungary negotiated bilateral agreements with its major Western trading partners and was responsive to Western requests on nontariff barriers to trade. Since the conclusion of the negotiations, Hungary has become a signatory to most of the nontariff measure codes and arrangements, including the Antidumping Code, the Standards Code, the Customs Valuation Code, the Licensing Code, and the arrangements on meat and dairy trade. In doing so, the Hungarians have implemented the necessary changes in Hungarian law to allow Hungary to assume fully the obligations of code membership.

C. China

1. Review of U.S.-PRC Trade

In 1981, China's total foreign trade grew to $41.0 billion. Exports from China outpaced imports by $4.0 billion. PRC exports for 1981 were $22.5 billion, a 16 percent increase over the 1980 level of $19.3 billion. Imports to China fell slightly (3 percent) from $19.2 billion to $18.5 billion in 1981.

Since diplomatic normalization in 1979 and the signing of the U.S.-China Trade Agreement in 1980, bilateral trade has expanded rapidly. Two-way trade which doubled in 1979 ($2.3 billion) more than doubled again in 1980 ($4.8 billion). During this period, the growth in trade was mainly due to expanding U.S. exports to China, resulting in a sizeable U.S. trade surplus in 1979 ($1.1 billion) and in 1980 ($2.7 billion). In 1981, bilateral trade ($5.5 billion) grew more slowly (14.3 percent), due to a decline in U.S. exports (-4.0 percent) compared with the 1980 level. In the past year and a half, the nature of our trade has changed with U.S. exports declining and U.S. imports growing rapidly during 1981. U.S. imports of Chinese goods grew markedly, both as a percent of total trade (1980: 22.0 percent, 1981: 34.5 percent) and compared with their level in 1980 (79.1 percent). In the first four months of 1982, this trend has continued. U.S. exports totalled $1.17 billion, down 20% over the same period last year, while U.S. imports were $690.7 million, up 32%. The U.S. continues to have a trade surplus.

Agricultural exports (particularly wheat, cotton, corn, and soybeans) amounted to two-thirds of U.S. export sales to China in 1981. The export of manufactured goods China fell slightly in 1981 to $1.1 billion from $1.2 billion.

U.S. wheat exports continued their 1980 increase to $1.3 billion in 1981, while cotton exports fell by 33 percent from $.7 billion to $.5 billion. Soybean exports fell to $130 million from the 1981 level of $155 million. U.S. non-agricultural exports to China--manmade fibers ($312 million), nylon and polyester ($189 million), and synthetic resins ($168 million) --have continued their rapid rise of 1980 from much lower levels in 1978 and 1979.

Manufactures and other non-agricultural imports represented 82 percent of total U.S. imports from China in 1981. These imports increased by 69 percent last year to $1.6 billion from $.9 billion in 1980.

The leading U.S. import from China in 1981 was petroleum products, totalling $293.4 million. That was more than double 1980 imports. U.S. imports of oilseeds, nuts and kernels rose dramatically in 1981 to $185.6 million from $80,000 in 1980. Textile and apparel imports are a major portion of total U.S. imports from the PRC. China increased its share of the U.S. textile market to 10.2 percent on a volume basis for the year ending March, 1982.

VOLUME AND COMPOSITION OF U.S.-PRC TRADE, 1979-1982
(Millions of U.S. Dollars)

U.S. Exports	1979	1980	1981	Jan-Apr 1981	Jan-Ap 1982
Manufactured Goods	653.0	1,223.2	1,134.7	N.A.	N.A.
Agricultural Commodities	990.2	2,209.5	1,956.3	N.A.	N.A.
Other	73.3	316.3	507.6	N.A.	N.A.
Total	1,716.5	3,749.0	3,598.6	1,464.6	1,173.
U.S. Imports					
Manufactured Goods	361.9	715.7	1,151.3	N.A.	N.A.
Agricultural Commodities	88.0	136.2	333.6	N.A.	N.A.
Other	142.4	206.4	410.4	N.A.	N.A.
Total	592.3	1,058.3	1,895.33	524.9	690.
Trade Turnover	2,308.8	4,807.3	5,493.9	1,989.5	1,863.
Trade Balance	+1,124.2	+2,690.7	+1,703.3	+ 939.7	+ 482.

LEADING U.S. EXPORTS TO PRC, 1978-1981
(Millions of U.S. Dollars)

81 k	1978	1979	1980	1981
Wheat	250.2	214.1	1093.3	1269.0
Cotton	157.3	357.0	701.3	464.0
Non-cellulosic Manmade Fibers	46.4	62.2	193.6	312.0
Yarn and Thread of Nylon, Polyester, etc.	1.3	27.8	62.6	188.5
Synthetic Resins	2.0	30.5	117.7	167.8
Soybeans	15.3	106.7	155.2	129.7
Hardwood Logs	-	-	41.4	89.2
Diammonium Phosphate Fertilizer	19.7	3.7	88.0	79.4
Non-cellulose Woven Fibers, Tire Fabrics	0.9	5.7	54.7	68.3
Wood Pulp	4.1	3.9	66.8	67.9
Corn	111.7	268.5	224.5	62.5
Measuring and Controlling Instruments	11.7	46.5	44.8	52.4
Kraft Paper and Paperboard	0.4	2.5	93.3	49.5
Pig and Kid Leather	NEGLIG	-	9.4	33.7
Soybean Oil	26.1	35.9	56.5	17.1
Subtotal	647.1	1165.0	3003.1	3051.0
Total U.S. Exports to the PRC	818.2	1716.5	3749.0	3598.6

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urce: U.S. Census Bureau

LEADING U.S. IMPORTS FROM CHINA, 1978-81
(Millions of U.S. Dollars)

31	1978	1979	1980	1981
Petroleum Products	-	24.6	115.9	293.4
Oilseeds, nuts and kernels	.04	.02	.08	185.6
Outerwear Apparel-women's, girls', Infants' (not knit)	17.6	47.1	80.7	167.7
Woven Cotton Fabric	38.3	24.7	45.4	89.0
Misc. Manufactured Articles	20.3	23.9	49.8	86.5
Floor Coverings and Tapestries	13.6	22.0	49.4	66.8
Outer Garments, Men's and Boys' (not knit)	11.4	26.0	37.2	63.1
Made-up Articles of Textile Materials NSPF	6.2	10.5	28.1	57.2
Men's and Boys' Shirts and Undergarments, Women's, Girls' and Infants' Undergarments (not knit)	9.9	28.8	29.7	55.3
Sweaters & Other Outerwear Apparel (knit)	9.4	18.4	58.3	51.9
Nonferrous ores and concentrates	6.4	14.1	33.4	44.6
Footwear, New	3.4	18.4	24.0	41.9
Crude Animal Materials	34.2	21.1	37.8	36.5
Inorganic Chemicals and Compounds, NSPF	3.6	18.9	31.9	35.1
Prepared or Preserved Vegetables	1.6	2.0	20.5	34.6
Nonferrous Metals	2.3	8.3	25.0	33.6
Underwear (knit)	3.7	10.1	13.7	31.5
Artworks, Collectors' Pieces and Antiques	12.3	15.9	38.4	26.3
Explosives and Pyrotechnic Products	12.1	15.6	23.3	24.9
Organic Chemicals and Related Products	3.9	8.8	22.8	24.2
Subtotal	210.2	351.2	765.3	1499.7
Total U.S. Imports From the PRC	324.0	592.3	1058.3	1895.3

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urce: U.S. Census Bureau

LEADING U.S. MANUFACTURED IMPORTS FROM PRC, 1978-1981
(Millions of U.S. Dollars)

981 ank		1978	1979	1980	1981
1	Outerwear Apparel-Women's, Girls', Infants' (not knit)	17.6	47.1	80.7	167.7
2	Woven Cotton Fabric	38.3	24.7	45.4	89.0
3	Misc. Manufactured Articles	20.3	23.9	49.8	86.5
4	Floor Coverings and Tapestries	13.6	22.0	49.4	66.8
5	Outer Garments, Men's and Boys'(not knit)	11.4	26.0	37.2	63.1
6	Made-up Articles of Textile Materials NSPF	6.2	10.5	28.1	57.2
7	Men's and Boys' Shirts and Undergarments, Women's, Girls' and Infants' Undergarments (not knit)	9.9	28.8	29.7	55.3
8	Sweaters & Other Outerwear Apparel (knit)	9.4	18.4	58.3	51.9
9	Footwear, New	3.4	18.4	24.0	41.9
0	Inorganic Chemicals and Compounds, NSPF	3.6	18.9	31.9	35.1
1	Underwear (knit)	3.7	10.1	13.7	31.5
2	Artworks, Collectors' Pieces and Antiques	12.3	15.9	38.4	26.3
3	Explosives and Pyrotechnic Products	12.1	15.6	23.3	24.9
4	Organic Chemicals and Related Products	3.9	8.8	22.8	24.2
5	Wearing Apparel & Accessories (leather, fur, rubber)	3.3	5.6	12.9	22.4
	Subtotal	169.0	294.7	545.6	843.8
	Total U.S. Imports From the PRC	324.0	592.3	1058.3	1895.3

ource: U.S. Census Bureau

U.S.-China Textile Trade

China is currently the fourth largest supplier of all textiles and apparel and the second largest of textiles alone to the United States. For some particular categories, China is the number one supplier. To promote the orderly development of textile trade, the U.S.-China Textile Agreement was signed in September 1980. The agreement, which contained six specific limits and a consultation mechanism for other categories, covers the period January 1980 through December 1982. The U.S. has restraints on over 40 percent of our apparel imports from the PRC, the more sensitive segment of the textile and apparel industry.

Since the agreement was signed, the U.S. has called for consultations on wool sweaters (September 1980), three categories of cotton coats and shirts (February 1981), two fabric categories (October 1981) and four apparel categories (April 1982). Our Governments are still discussing limits on the last two calls.

Renegotiation of the U.S.-China bilateral textile agreement will begin this summer. Negotiations are expected to be extremely difficult. China will be seeking greater access to the U.S. market, while the goal of the U.S. government will be to slow the growth of imports from China, in keeping with the Administration's commitment to relate the growth of total imports to the rate of growth in the domestic market.

U.S.-PRC Trade in Sensitive Products

Since normalization, Chinese exports to the United States have increased considerably. Many of these exports have been light manufactures which are economically sensitive domestically. Significant increases in some of these categories, e.g., cotton work gloves, mushrooms, menthol and clothespins have resulted in formal trade complaints by U.S. domestic interests. A new complaint has been brought against imports of certain dinnerware items from China.. The ITC will hold hearings on July 19 before it issues its determination by August 11 of whether market disruption exists within the domestic industry.

The U.S. maintains an ongoing dialoque with the Chinese on this issue, explaining to them the sensitivity of certain domestic industries to imports, and recommending that they expand their exports in these sensitive sectors in a prudent manner, conduct market research, and diversify production for export to the U.S. The Chinese for their part have expressed interest in learning about the U.S. market. In September 1981 a group from the International Trade Research Institute of the Ministry of Foreign Trade, during a visit to the U.S., met with Commerce officials to discuss doing market reseach in the U.S. and to explore the possibility of exchanging market reseach information, data, and techniques.

U.S. Export Control Policy

A liberalized export control policy for China was announced last June by Secretary of State Haig during his trip to China. Guidelines implementing the new policy were announced on December 19, 1981 and published in the Federal Register. As a result of the new policy, there is a predisposition for approval of products with technical levels twice those previously approved for China. The guidelines include new advisory notes which list levels of about 30 items which are likely to be approved for sale to China, including certain computers, optical equipment, microprocessors, and data communications equipment.

Since the new policy was adopted, the number of cases approved has increased significantly. During the first quarter 1982, 442 license applications were approved, valued at $42.7 million; 26 were denied valued at $5.2 million. This represents a 48 percent increase over the number of license approvals (299) during the same period in 1981. (During the first quarter 1981, 299 licenses were approved, valued at $60.5 million; 1 was denied valued at $51.4 thousand.)

2. Outlook for PRC Economic/Commercial Relations with the West

Since launching its modernization drive in 1978, the People's Republic of China (PRC) has made great strides toward becoming a full-fledged member of the international business community. Aware of the need for Western participation in its economic development program, China over the past several years has expanded its trade rapidly with the West, has begun using Western credits to finance imports, and has actively encouraged joint ventures with Western firms.

China also has come to realize better the major economic problems it faces. These problems include imbalances in economic structure, energy shortages, low productivity, and inflation. As a result, a program of economic readjustment has been inaugurated. While this program means somewhat slower economic growth over the next several years, it will put the Chinese economy on a much firmer footing and improve China's chances of achieving its modernization goals. The average rate of growth for the Sixth Five-Year Plan (1981-85) is targeted at about 4 percent a year, compared to an annual rate of growth of 12 percent attained in 1978 and 7 percent in both 1979 and 1980. The actual rate of growth for 1981 is estimated at 3 percent.

Although not yet officially announced, China's Sixth Five-Year Plan will likely call for the continuation of readjustment policies. Over the next several years the PRC will concentrate on overcoming bottlenecks in the economy, spurring the expansion of export industries, and improving living standards. Agriculture and light industry should continue to be accorded high priority in development planning, while adequate resources also will be allocated to heavy industry to ensure balanced economic growth. Among heavy industrial sectors, priority is given to the development of energy, construction materials, transport systems and telecommunications facilities. In the energy sectors, attention will be focused on the development of offshore oil resources, the expansion and modernization of coal mines and the construction of electric power stations. Capital construction, meanwhile, is expected to be held down over the next several years as Beijing tries to bring the state budget back into balance and to bring inflation under control. As a result, the improvement and expansion of existing facilities should continue to take precedence over construction of new plants.

As in the past, China during the current Five-Year Plan is expected to look to the West mainly for specific kinds of machinery, intermediate goods, and grain. The retrenchment program, along with cost-cutting measures, however, should dampen the rapid growth of imports registered since 1978. Financial constraints on imports over the next few years are more likely to stem from inadequate export earnings and financial conservatism than from a lack of available credits. Although China now has demonstrated a willingness to finance purchases of Western goods with foreign credits, export earnings still are the most important factor in Beijing's assessment of what it thinks it can afford to buy.

3. China's Financial Situation

In contrast to some Eastern European countries, China's foreign debt situation is quite healthy. The PRC's debt service payments were slightly over 5 percent of its current account receipts in 1981. According to IMF statistics, net U.S. claims on China decreased from $118 million in October 1980 to $103 million on October 1981 (the last period for which figures are available). Debt to foreign nations declined in 1981 as China realized a surplus on its current account and introduced austerity measures domestically to reduce its budjet deficit. An IMF report on China is expected to be prepared in the coming months.

4. Foreign Investment in China

Since 1979, China has welcomed and even aggressively solicited foreign investment. Five Special Economic Zones have been put into operation on the coast of South China (three are adjacent to Hong Kong) and hundreds of foreign firms have made investments in a wide range of economic undertakings including agricultural processing plants, textile factories and tourist hotels and related facilities. A fairly extensive body of domestic law has been created to provide the framework within which foreign investors will operate although there are still significant gaps remaining. A Joint Venture Law and Detailed Implementing Regulations have been issued. In addition, the use of labor, registration of foreign offices, foreign exchange transactions, exploitation of natural resources and income taxation (on individuals, joint ventures and foreign enterprises) have all been addressed in laws promulgated in the past three years.

As a result, Chinese officials have announced that as of early 1982, about 2.9 billion dollars has been invested in joint ventures, contractual joint ventures (cost sharing rather than equity sharing) and compensation trade agreements (in which a company invests equipment and technology and receives product in return). Forty joint ventures with a total investment of $189 million have been approved. The number of trade compensation and contractual joint ventures now numbers close to one thousand.

In the first four months of 1982, China announced several additional significant contracts with foreign investors. In the largest potential joint venture signed to date, Occidental Petroleum Company's subsidiary, the Island Creek Coal Company has signed a contract with the Ministry of Coal to do a feasibility study for a open pit coal mine in North China. To support the program of exploration for offshore oil, China has adopted a "preference clause" favoring domestic organizations. This has led to a number of contracts between foreign and Chinese organizations to work together to supply goods and services. One such example is a joint venture between the Dresser Company and/ the China Offshore Logging Service Company to provide well logging services for offshore drilling.

With the United Nations Industrial Development Organization, China's Foreign Investment Commission (now part of the

Ministry of Foreign Trade and Economic Relations) co-sponsored an "investment promotion meeting" in Guangzhou (Canton) from June 7-11. This meeting was experimental but it contained some welcome new trends in China's encouragement of foreign investment. First, China provided information on one-hundred and twenty projects. Normally, Chinese organizations are reluctant to make such information public. Second, all of the Chinese organizations involved in economic decisionmaking were represented at the Guangzhou conference. This will allow foreign firms to obtain a more realistic view of the chances for approval of these projects.

U.S. Policy

The Overseas Private Investment Corporation signed an agreement with the People's Insurance Company of China (PICC) in October 1980. At the present time, OPIC can insure against the risk of inconvertibility; war, revolution or insurrection; and expropriation. However, because of the nature of the Chinese state-owned economy and the fact that the Chineso currency is in convertible, OPIC insurance for inconvertibility and war risk is quite limited. For the expropriation risk, OPIC insurance will be available only if the Chinese fail to abide by the agreed settlement dispute mechanism (i.e., arbitration clause) as stated in the contractual agreement between the U.S. firm and the Chinese organization.

At the present time, OPIC has written insurance policies with a total investment coverage of nearly 2 million U.S. dollars. There are 35 applications for coverage outstanding.

The Chinese have recently concluded a bilateral investment treaty (BIT) with Sweden and are negotiating similar agreements with Japan, Germany, and France, and have expressed interest in exploring such an agreement with the United States.

In mid-May, the U.S. Embassy provided the Chinese a copy ot a model BIT which we would use as a basis for negotiations. The U.S. still has not concluded a BIT with any country, so we have no precedents to cite in negotiations. The Chinese-Swedish BIT falls short of arrangements we would like to negotiate, especially in the areas of third country arbitration, and assurances on capital and profit repatriation.

If the Chinese respond positively to our model BIT, formal discussions could begin soon.

5. Patent Protection in China

In Article VI of the U.S.-China Trade Agreement, both parties committed themselves to providing protection of industrial property equivalent to the protection afforded by the other. The Chinese have established a patent office and drafted a patent law. However, the law has not yet been approved by the National People's Congress. Senior Chinese leaders have endorsed the establishment of a patent system, but we understand that there is some domestic opposition,the extent of which is unknown. In addition, the Chinese Patent Office has recently (May 1982) been transferred from the leadership of the State Science and Technology Commission to the State Economic Commission. We do not know if this will affect the timing or the content of the patent law.

In the absence of a patent system, foreign firms can protect their technology on a case-by-case basis by contractual agreement. We are not aware of any instances in which the Chinese have failed to fulfill their contractual obligations. However, the absence of a patent system is a matter of concern for U.S. companies.

The expected exclusion of agricultural chemical and pharmaceuticals from protection under the draft patent law is of particular concern. On numerous occasions, U.S. Government officials have expressed their concern to the Chinese and advised them that it would be in their best interest to establish a patent system and to issue patents for chemical and pharmaceutical products.

There has been a substantial amount of cooperation between the Chinese Patent Office and the U.S. Office of Patents and Trademarks (USPTO). Numerous Chinese officials have visited USPTO on fact finding missions. Some have been here on six-month training programs. Former USPTO Commissioner Sydney Diamond led a delegation to China in November 1980. The present USPTO Commissioner Gerald J. Mossinghoff visited China in May, 1982 and presented two lectures on trademarks under the auspices of the World Intellectual Property Organization.

China is a member of the World Intellectual Property Organization. Chinese officials have indicated that China intends to become a member of the Paris Union. Membership would commit the Chinese to follow international standards for patent treatment and the Universal Copyright Convention.

6. Business Climate in China

The Chinese have made considerable progress in improving business facilities and conditions for U.S. firms operating in China. Some problems remain, however.

Status of Chinese Representatives in the U.S.-- In November 1980, agreement was reached that Chinese representatives in the U.S. would regularize their visa and office status in compliance with U.S. state and federal laws by March 31, 1981. This deadline was later extended to June 1, 1981. Most Chinese representatives who reside in New York City have complied with New York State/City business regulations and immigration laws. Chinese representatives and Chinese Joint Venture companies have also moved out from their diplomatic premises (the UN PRC mission) to established offices and residences in New York City and its suburbs.

Registration of U.S. firms in China-- In December 1980, the Chinese Government announced regulations governing the registraton of foreign companies in China. So far, approximately 50 U.S. firms have registered with the General Administration for Industry and Commerce (GAIC). A GAIC resident certificate enables the firms to obtain an alien registration card, a long-term internal travel permit and a multiple entry visa. Some U.S. firms, e.g., service organizations and lawyers, have had difficulties in obtaining sponsors to support their long-term residence in China.

Domestic Travel-- Registered firms, mostly importers, are favored in obtaining a six-month travel permit valid for as many "open" cities as requested. Non-registered firms and exporters still need an organization to sponsor their one-time travel permit around China.

Office/Living Space-- During the November 1980 meeting of a bilateral working group on business facilitation, the Chinese gave us assurances that U.S. firms would be allowed to remain in the hotel facilities they were occupying in China. The absence of adequate office and housing space remains a concern, although we have not heard of specific problems recently.

Customs-- Both U.S. and Chinese customs allow duty free entry of personal effects, but require normal duty on office equipment. Chinese rates on such equipment are very high and are not applied uniformly.

Telecommunications-- This is still a major concern for the business community since the hotels are reluctant to permit the installation of telex machines in their rooms and offices. Users of the few installations that exist are charged high prices for transmitting messages.

Cost of Service-- A multi-tiered rate system exists for foreigners residing in the PRC. "Foreign experts" are accorded special treatment insofar as they are required to pay only one half of the rate charged to business persons.

Visas-- During 1980, the bilateral working group on business facilitation and in follow-up meetings an understanding was reached to grant multiple entry visas on a reciprocal basis to resident business representatives. The Embassy and the Ministry of Foreign Affairs have negotiated the time periods involved, and our hope has been that we can soon exchange notes on a new reciprocity schedule which will include one-year multiple entry visas for resident businessmen. A visa liberalization proposal remains under discussion.

Status of Foreign Commercial Service (FCS) in China

We have made considerable progress during the last year in staffing and obtaining adequate resources for the operating of FCS in China. We now have in place a Commercial Counselor and an FCS officer in Beijing and an FCS officer each in Shanghai and Guangzhou. The Beijing staff will be complete by the end of the summer, with the assignment of two additional officers. The FCS in Hong Kong also maintains an active program of counseling and support activities for U.S. companies resident or travelling through Hong Kong who are interested in doing business with China.

We began negotiating with the Chinese early last year to construct a separate FCS facility in the former Pakistan Embassy Compound. The Pakistan Compound is the site of the new Chancery and other Embassy facilities. In May the Beijing Municipal Planning Board approved in principle our request for the FCS building. The Chinese Housing Services Corporation (HSC) Design Institute must prepare detailed plans before the board will give final approval. We hope that a contract can be signed shortly. In the interim, the commercial section has moved into temporary offices in the recently-opened Jianquo Hotel. Assistant Secretary, Raymond Waldmann officially opened the facility on June 18.

7. Chinese Government Reorganization

/The single most important development in Chinese domestic affairs this year has been a major effort to streamline and restructure the bloated and aging bureaucracy, referred to as "Jing Jian", i.e. For sometime now, Chinese leaders have felt an acute need to improve government efficiency by restructuring the bureaucracy that has been burdened by overlapping, over stratification, and overstaffing. More than 1,000 ministers and vice ministers overloaded the senior ranks. Many of these officials are aged cadres who are not specialists in the fields they are responsible for.

In an effort to staff the government with younger, better educated administrators, the State Council embarked early in 1982 on a two phase program of restructuring and realignment. The first phase was completed in March. At that time, 12 ministerial level organizations were combined into six and the staff of these agencies was cut by one third. The second phase was completed in early May.

As a result, the number of vice premiers was reduced from 13 to 2, and that of ministries and state commissions from 52 to 41. 23 new ministers have been appointed. The average age of key officials has been reduced from 64 to 58. The percentage of key officials with a college education has risen from 37% to 52%. Overall, the staff of the central government has been cut from 49,000 to 32,000.

The two remaining vice premiers are Wan Li and Yao Yilin, the former being the ranking vice premier, and the latter retaining his portfolio as Minister-in-Charge of the State Planning Commission. Wan and Yao are closely identified with the economic programs initiated by Communist Party Vice Chairman Deng Xiaoping and Premier Zhao Ziyang. Nine of the former vice premiers have been appointed state councilors, newly created positions with the rank of vice premier. Some retain their portfolios, for instance, Foreign Minister Huang Hua and Defense Minister Geng Biao. These appointments have been approved by the Standing Committee of the National People's Congress, China's parliament.

This series of organizational and personnel changes is of considerable significance. It is the major government reorganization in recent years accomplished in an orderly fashion and without purges. It places Deng Xiaoping's trusted officials in key positions to carry out the modernization program.

The newly formed Ministry of Foreign Economic Relations and Trade (MFERT), is a merger of the former Ministry of Economic Relations with Foreign Countries, the Ministry of Foreign Trade, the Import-Export Commission, and the Foreign Investment Control Commission. The Minister of MFERT, Chen Muhua, was previously the Minister of Economic Relations with Foreign Countries.

Chairman **Gibbons**. Good afternoon. As everyone knows, this is a meeting of the Ways and Means Subcommittee on Trade. We are here today to deal with most-favored-nation treatment for Romania, Hungary, and the People's Republic of China. I want to welcome representatives of the administration and other public witnesses who have come to present their views on the President's recommendation to Congress of June 2, 1982 to extend for another 12 months authority under the Trade Act of 1974 to waive the freedom-of-emigration requirement under section 402 concerning nondiscriminatory trade, credit, and investment treatment toward nonmarket-economy countries.

The recommendation also sets forth the reasons for extending the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China, as substantially promoting the act's freedom-of-emigration objectives.

The Subcommittee on Trade has taken seriously for the past 7 years its obligation under the Trade Act to monitor closely the emigration situation in all three of the countries in order to insure that freedom-of-emigration objectives are met. While the Chinese and Hungarian emigration procedures remain open and are consistent with the objectives of section 402, prospective emigrants in Romania continue to experience cumbersome emigration procedures. Further, while emigration from Romania to the United States has increased substantially during the years since the waiver has been in effect, the number of emigrants to Israel has not been as high as we would like to see it.

On the other hand, the Romanian Government has been responsive to our representations about emigration matters, and there continues to be a healthy dialog between our two governments on this sensitive issue.

In addition to exploring the emigration issues, these hearings present a useful opportunity to review our trade and investment relations with these countries. The subcommittee will want to explore the current state of our commercial relations with all three countries, as well as prospects for our future trade relations.

Before we hear from our first witness I would like to urge all witnesses to summarize their statements, because of the limited time that is available and the large number of witnesses that we have. Full statements will, of course, be entered in the record.

Our first witnesses are from the Department of State. Mr. Scanlan, who is Deputy Assistant Secretary for European Affairs, and Mr. Thomas Shoesmith, Deputy Assistant Secretary for East Asian and Pacific Affairs. We also have representatives of the Department of Commerce, the Department of the Treasury, and the Office of the U.S. Trade Representative.

Mr. Scanlan, do you want to proceed first? I want to say hello to Mr. Shoesmith. I have not seen him since, I guess, August, September.

Mr. **Shoesmith**. August. It is good to be here.

STATEMENTS OF JOHN D. SCANLAN, DEPUTY ASSISTANT SECRETARY, BUREAU OF EUROPEAN AFFAIRS, AND THOMAS SHOESMITH, DEPUTY ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, ACCOMPANIED BY MICHAEL HATHAWAY, DEPUTY GENERAL COUNSEL, OFFICE OF THE U.S. TRADE REPRESENTATIVE; FRANKLIN VARGO, DEPUTY ASSISTANT SECRETARY FOR EAST ASIAN AND PACIFIC AFFAIRS, AND DAVID LAUX, DIRECTOR, OFFICE FOR THE PEOPLE'S REPUBLIC OF CHINA AND HONG KONG, DEPARTMENT OF COMMERCE; AND ROBERT A. CORNELL, DEPUTY ASSISTANT SECRETARY FOR TRADE AND INVESTMENT POLICY, DEPARTMENT OF THE TREASURY

Mr. SCANLAN. Mr. Chairman, I am pleased to have this opportunity to join the panel of administration witnesses testifying on the President's recommendation to extend for 1 year his waiver authority under section 402 of the Trade Act of 1974, and to continue specific waivers permitting most-favored-nation [MFN] treatment for Romania, Hungary, and China. My testimony will deal with the waivers for Romania and Hungary, and as you have already stated, Mr. Chairman, my State Department colleague, Mr. Shoesmith, will address the waiver for China.

I would like to begin, Mr. Chairman, by placing the President's recommendation to renew MFN treatment for Romania and Hungary in the context of our overall policy toward Eastern Europe.

Eastern Europe, seen from the outside, is frequently—and wrongly—viewed as a monolithic bloc. The great differences of history, geography, ethnic groupings, language, and culture which mark the nations of Eastern Europe have never been submerged, despite the imposition by force from without of an alien ideology. The countries of Eastern Europe have consistently sought to assert their independent characters. Repeatedly they have found ways, internally and in their foreign relations, to express their own national identities in the face of strong pressures to conform. The United States has always encouraged the natural aspirations of the countries of Eastern Europe to pursue their own national destinies.

Eastern Europe today is experiencing severe economic, political, and social tensions. The severe energy constraints and growing financial problems have resulted in a serious slowdown in agricultural production in many countries and a deepening of their inability to meet consumer demands in both the industrial and agricultural sectors. The focus of economic policy in the most severely affected Eastern European countries must now be aimed at bringing foreign debt levels under control, and directed systemic reform of their economies is required if they are to avoid even more grievous economic dislocations in the future.

In pursuing our policies in Eastern Europe we have not been unmindful of the many disagreements we have with the countries of the area, and in particular we have not forgotten our commitment to speak out concerning the many violations and abuses of human rights in the region. Our policies in Eastern Europe do, however, take into account the diversity among the separate national entities and the forces for change as well as the forces striving to maintain the status quo. While we must recognize the military and geostrategic realities of the area as a whole, we seek to deal with each country on its own merits. We seek to improve relations with those individual governments which demonstrate both the desire and the ability to reciprocate. We also expect that the governments of Eastern European countries which desire the benefits of improved relations with the United States, particularly in the economic area, will play a constructive role in international commitments in the fields of human rights.

Within that overall context, I will now turn to Romania and Hungary.

Over the past year Romania has faced one of its most serious economic crises since World War II. Its international debt rose to nearly $11 billion, of which nearly 40 percent was short term. In the face of this calamitous financial picture which coincided with the crisis in Poland, Romania has been unable to obtain commercial credits to purchase agricultural and industrial products from the United States and the West. At the same time, it has been unable to find sufficiently large markets for its industrial products. Domestically, as the result of poor harvests and continuing problems with internal storage and distribution, Romania also faces its worst food shortage since World War II. Despite these problems, Romania in 1981 continued to pursue a policy of relative independence in its foreign policy and of diversity in its trade and economic relations. Our policy has been to support Romania's efforts to maintain its economic autonomy and foreign policy independence while encouraging greater responsiveness on human rights and emigration, including the sensitive issue of family reunification.

In February, Secretary Haig emphasized during his visit to Bucharest the importance which we attach to our bilateral relationship with Romania. At that time he strongly urged the Romanian Government to work closely with Western monetary institutions, both private and governmental, to work out a plan of action for dealing with its financial difficulties. In the months following, Romania renegotiated a standby stabilization loan with the International Monetary Fund and has had intensive discussions with private banks and other suppliers of credit regarding private debt rescheduling. On July 8 and 9 Romanian officials met with representatives of Western countries in Paris to begin negotiations for an official debt rescheduling. Romania has also undertaken a series of measures designed to reduce imports, particularly energy-related imports, and to reduce its balance-of-payments deficit. These moves are crucial if Romania is to begin the difficult task of economic stabilization necessary to meet its financial commitments to the West, and to maintain the economic base required to continue its relative independence in foreign policy. We continue to support and encourage these efforts.

The primary focus of today's hearing is Romania's emigration performance, and whether the continuation of a waiver permitting MFN tariff treatment for Romania will substantially promote freer emigration in accordance with the spirit of the Trade Act of 1974. Our policy with respect to Romanian emigration is not tied solely to numbers. We support the internationally recognized principle that an individual should be permitted to emigrate from his own country, provided there is another country which is prepared to accept him.

Emigration from Romania to the United States has increased substantially since the waiver first went into effect in 1975. In 1981, 2,352 Romanians were authorized to emigrate to the United States—more than six times the total for 1974. The total for 1981, however, was down somewhat from the 1980 total. The decline was at least partially explained by modifications in U.S. procedures for processing applications from Romanians who do not have immediate relatives to petition on their behalf and who are admitted under provisions of the Refugee Act of 1980. The 1,094 departures for the United States in the first 5 months of 1982 indicate that the rate of emigration from Romania to the United States this year is higher than last year. Despite the increase in overall numbers of emigrants to the United States, problems remain. The emigration procedure in Romania is still too long and complicated. These bureaucratically cumbersome emigration procedures are unfortunately typical for Romania's highly centralized Communist system for regulating the life of its citizens. Nonetheless, we continue to urge the Romanian Government to streamline the process.

I would like now to comment on the question of emigration to Israel. The members of this committee are, I know, familiar with the history of Jewish emigration from Romania to Israel. If you will permit me, Mr. Chairman, I would like to repeat for the record the fact that since World War II somewhere between 300,000 and 350,000 Romanian Jews—out of the approximately 450,000 who survived World War II—have emigrated to Israel. Over the past 11 years another 22,400 Romanian Jews have emigrated to Israel. The number of Jewish emigrants departing Romania has declined, however, since the early 1970's, averaging between 1,000 and 1,100 per year for the past 5 years. As you are aware, Mr. Chairman, one reason often put forward for this is the declining size and age structure of the Jewish community. The exact size of the community is not known, but we do know that according to the census of the chief rabbi of Romania, the Jewish community as of December 31, 1981 totaled 32,100 persons. According to the rabbi's figures, nearly 67 percent of those registered with him are over 50 years of age.

The administration's concern here is the same as it is with respect to emigration from Romania to any third country. We are not primarily concerned with meeting quotas or demanding that a specific number of individuals be permitted to depart each year. Instead, we believe that individuals accepted for immigration by the Government of Israel should be granted permission to emigrate from Romania without undue delay or difficulties.

The understanding arrived at by the Government of Romania and representatives of a significant number of American Jewish organizations in 1979 provides a system for Romanian Jews to register their desire to emigrate with the chief rabbi of Romania. This understanding also provides an opportunity for the Israeli and United States Governments and concerned Jewish groups to monitor the emigration of those individuals who choose to take advantage of the process.

Complaints about the length of time required to obtain permission to emigrate from Romania to Israel were raised several months ago by representatives of the American Jewish organizations which had reached the initial understanding and the Romanian Government. The Romanian Government has responded with information indicating that a substantial percentage of the cases raised by the American Jewish organizations have been granted permission to emigrate. We share the American Jewish communities' frustration with the length of time which is still seemingly required to process emigration applications.

This administration has sought to make it very clear to the Romanian Government that continued problems on this issue raise serious questions from concerned observers. If unresolved, such questions could lead to even greater difficulties in the future. We trust that the Romanian Government understands this fully. The rate of approval for Jewish emigration over the past several months has increased significantly, and if it is maintained, I would expect that complaints about the length of time required for processing, and the size of "backlogs" on the chief rabbi's intending emigrant registration list, would be reduced.

Let me turn now to Hungary: The United States-Hungarian bilateral relationship has continued to reflect steady improvement since the signing of the agreement on trade relations in 1978. Our relations are notable for the constructive way in which we are able to discuss issues of mutual concern.

In the past year, the United States expanded its political dialog with Hungary. We also saw progress in economic, cultural, and narcotics control cooperation. The continuing, robust exchange of private and official visitors has contributed greatly to improved understanding on both sides. The Hungarians have recently hosted several important U.S. trade delegations, a group of distinguished religious leaders, and Members of the House of Representatives and the Senate. In mid-May, Hungarian Deputy Prime Minister Jozsef Marjai, Hungary's third-ranking Government official, made an official visit to the United States.

The Hungarians continue to take a positive and cooperative approach to emigration matters. The total number of Hungarians who wish to emigrate is not high, perhaps related to the stipulation of Hungarian law that only persons over the age of 55 may apply to emigrate. The majority of Hungarians who do apply, however, receive permission to emigrate without great difficulty or elapse of time. The more complicated cases may take some time to resolve, but our experience has shown that with reapplications and persistence on the part of the intending emigrant, a satisfactory outcome usually results. We follow the progress of problem cases closely, and make our concerns known to the Hungarian Government at regular intervals. The favorable resolution of these cases is a high priority on our agenda of discussions with the Hungarian Government.

Trade has become the cornerstone of our relations with Hungary. The extension of most-favored-nation [MFN] tariff treatment has been a significant positive factor in the development of U.S. trade and economic relations with Hungary. Since the implementation of the United States-Hungarian Trade Agreement in 1978, bilateral trade has increased substantially. Total trade turnover rose from $127 million in 1977 to $206 million in 1981. MFN status was extended to Hungary in 1978.

With the extension of MNF, the major impediments which previously affected the growth of United States-Hungarian trade have been removed. Hungary has become eligible for loans from the Export-Import Bank and credits from the Commodity Credit Corporation. The administration, therefore, strongly supports the continuation of Hungary's MNF tariff status. Hungary, for its part, has agreed to reciprocal reductions in tariffs which will increase export opportunities for U.S. firms. In addition, Hungary has responded favorably to U.S. requests on certain nontariff barriers to trade, and has formally adhered to many of the multilateral codes on nontariff trade barriers and the international arrangements negotiated during the Tokyo round.

Thank you, Mr. Chairman.

Chairman GIBBONS. Thank you.

Mr. Shoesmith.

Mr. SHOESMITH. Thank you, Mr. Chairman. I would like, with your permission, Mr. Chairman, first to review very briefly our trade and commercial relations with the People's Republic of China as they have developed since the normalization of our diplomatic relations, and then to outline for you the policies and performance of the People's Republic of China in matters of immigration.

Since the establishment of diplomatic relations in 1979, United States-China economic relations have advanced dramatically. A broad series of economic agreements covering trade, grains, claims/assets, civil aviation and maritime affairs, textiles, Eximbank loans, and investment guarantees have established a sound framework for the further development of economic contacts. Recently we signed a limited tax treaty covering airline and maritime earnings and now have begun negotiations for a comprehensive tax treaty. We have also laid the groundwork for negotiations leading to a bilateral investment treaty.

Recent trade figures illustrate the growing importance of our trade relationship with China. Two-way trade doubled between 1978 and 1979 and then doubled again in 1979–80. Last year it grew to $5.5 billion, with the United States enjoying a highly favorable $1.7 billion surplus. In terms of total value, the United States has become firmly entrenched as the People's Republic of China's No. 3 trading partner.

U.S. agricultural sales to China soared to $2.3 billion in 1980 and it was just under $2 billion in 1981. China has become our largest export market for wheat and our fourth largest agricultural market for total agricultural sales. U.S. wheat deliveries in 1981 alone were valued at $1.27 billion.

On the investment side, opportunities for joint ventures are growing. The Chinese recently adopted a joint venture law that established a legal framework for such undertakings. Under the auspices of UNIDO, the Chinese have opened 130 joint venture projects to foreign participation.

At last count 80 American companies have established permanent offices in Beijing. Many companies with representatives in

Hong Kong or Tokyo are also involved in frequent business discussions with the Chinese.

And many U.S. oil companies are preparing to play a large, possibly dominant, role in the exploration of the South China Sea's vast petroleum deposits.

However, as China's trade base expands and its economic readjustment policies take hold, the level of its international trade may grow more slowly over the next several years. For the United States, these changes, along with the leveling off of that initial spurt of trade growth which followed normalization, may result in a slower growth rate for United States-China trade in the years immediately ahead. And yet, while the rate of expansion may be decreasing, the absolute volume of trade—measured in billions of dollars—is going to increase. And bilateral trade should remain in our favor despite anticipated faster growth in Chinese exports to the United States.

A stable and expanding trade and investment relationship between the United States and China contributes to strong cooperative ties across the board. Such ties are a key component in China's own plans to modernize its economy with the help of Western goods and ideas. And, in the long run, a secure, stable, and economically healthy China is an essential element for peace and stability in the East Asia region.

If I may now turn to China's immigration policies, Mr. Chairman, China's determination to carry out its modernization plan with Western support has been accompanied by its efforts to achieve liberalization in the areas of emigration and human rights.

We have seen the release of many political prisoners, some of whom were held since the 1950's. The last of these are due to be released in the near future. Travel restrictions have been significantly relaxed for both immigrants and short-term travelers. There are now approximately 8,000 Chinese students and scholars in this country. This has expanded from around 100, 3 years ago. In addition, last year some 10,000 business visas were issued to Chinese citizens. Our China posts issued something over 7,000 immigrant visas, up 2,000 over the previous year. This number should increase substantially this year due to the allocation of additional immigrant quota numbers for persons born in China. As you know from your visit to Hong Kong, Mr. Chairman, there are 50,000 persons who immigrate to Hong Kong each year. There are over 90,000 Chinese with approved visa petitions waiting for their turn to immigrate to the United States.

China's commitment to more liberal emigration is reflected in the bilateral United States-China Consular convention, which came into effect in February of this year. The notes which accompany the convention specifically encourage travel facilitation for the purpose of family reunification. In addition, both countries agreed to facilitate travel between the two countries of those persons who claim dual nationality.

This is not to say that there are no problems. China is concerned about the potential brain drain and local officials are sometimes reluctant to issue passports to persons whose emigration might create gaps in their modernization efforts. There is no evidence, however, that China has inhibited the emigration of those with legitimate family ties abroad, although many may encounter delays in obtaining passports and exit permits.

The principal obstacle to increased China emigration to the United States remains the annual limitation imposed by our own immigration laws. In June 1982, applications for fifth preference immigration—siblings of U.S. citizens—stretched back to December 8, 1977, that would involve a waiting period on an average of as many as 5 years.

Trade is a fundamental component of China's modernization strategy and its opening to the West. Mutual benefit and most favored nation treatment in all aspects of our trading relations are vital to continued expansion of our bilateral ties. The administration strongly supports the continuation of MFN status for China as crucial to our foreign policy interests.

Thank you very much, Mr. Chairman.

Chairman GIBBONS. Thank you.

Mr. Scanlan, are you reasonably confident that the chief rabbi's figures are accurate as to the size of the Jewish population in Romania?

Mr. SCANLAN. Well, Mr. Chairman, this is the best source we have. We are reasonably confident that those figures are accurate within a range of 5,000 to 10,000. They are about as close as we think we can come.

Chairman GIBBONS. The chief rabbi thinks there are about 37,000?

Mr. SCANLAN. I think he uses the figure now of 32,000.

Chairman GIBBONS. 32,000?

Mr. SCANLAN. Yes, sir.

Chairman GIBBONS. Would you repeat again for the committee why you think Romania still is not able to meet our expectations about emigration?

Mr. SCANLAN. With regard to numbers?

Chairman GIBBONS. With regard to numbers.

Mr. SCANLAN. Well, it is a declining population. Our information is that it tends to be an aging population. We are not at all happy with the lengthy procedures that require people to wait many months, sometimes a year or more before they are permitted to go. We keep urging the Romanians to speed up those procedures and make it possible for everyone who wants to go to leave. I don't know what the committee's expectations are, Mr. Chairman. Our expectations are that anyone who wants to emigrate will be permitted to emigrate.

Now, we feel that this is more important than placing some quota on a government and saying "You must permit a certain number of people to emigrate in any given year."

Chairman GIBBONS. Do you understand why fewer are going to Israel than before and more coming to this country?

Mr. SCANLAN. Well, with regard to immigration to the United States, those cases are largely family reunification. And you don't have the same declining pool you have. Perhaps it is, in effect, something of a growing pool, because you have a combination of family reunification, and refugee cases. Now, of course, each one of those cases builds with it the possibility of future family reunification. We are talking there about an entire pool of some 25 million people.

Immigration to Israel is a declining pool; as I said, at the end of World War II there was an estimated Jewish population in Romania of 450,000. Now it is down around somewhere between 30,000 and 40,000. So you have a declining pool.

Chairman GIBBONS. Mr. Shoesmith, is there any evidence that the People's Republic of China is restricting emigration to this country of those who are eligible to come, or want to come?

Mr. SHOESMITH. Not those in family reunification cases. There I think the record is very clear. I did mention that in some cases, and particularly this occurs largely it seems to me as a matter of the decision of local authorities to hold up or discourage emigration of people whom they feel are necessary, or could perform useful work in their own economic modernization program. There I think is less of a problem with emigration than with short-term visitors; people who would like to come to study.

For example, very recently, college students. It now seems to be the pattern that they are holding up students who want to come to the United States to study if they are in college until they have finished their college and have worked for 2 years. I think that is a rather obvious effort to get something back for the investment that the society makes. But I think on the immigration side, the situation remains very liberal. There has been some tightening up on the short-term visitors.

Chairman GIBBONS. Mr. Scanlan, is there any evidence that Hungary is holding up on its emigration?

Mr. SCANLAN. We do not have any evidence that they are holding up any more on emigration, no. As a matter of fact, this year again, as I stated, emigration to the United States is—the rate for the first 5 months is up somewhat over last year. And the rate for emigration to Israel appears to be holding at slightly better than last year's rate. So there is no decline.

Mr. HANCE. Mr. Scanlan, there have been numerous reports and evidence coming out that people in Romania have been jailed for selling Bibles. Would you please comment on these allegations.

Mr. SCANLAN. I am sorry, I didn't—the question?

Mr. HANCE. Can you hear me?

Mr. SCANLAN. Yes. It was just the last sentence.

Mr. HANCE. That people in Romania had been given jail sentences for selling and smuggling Bibles into that country.

Mr. SCANLAN. Yes. There are approximately 15 people who were jailed for smuggling Bibles, which is against the law in Romania. But our latest information is that some of those people have not been tried. We have been making strong representations on their behalf.

Mr. HANCE. I have a list, and I will give it to you after the hearing, of eight different individuals that we would like you to check on with the Romanian Government.

Mr. SCANLAN. I would be happy to have this. We are checking on all of these people. We check repeatedly. We would be happy to do it again, if these are new names, or if they are old names, too.

Mr. **Hance.** I think many of us will have a difficult time supporting most-favored-nation status if individuals are being jailed for this type of offense.

One question to you, Mr. Shoesmith. It has to do with cotton being sold to PRC. Exports dropped from $701 million in sales of cotton in the PRC in 1980, to $464 million in sales in 1981. Could you explain why this happened?

Mr. **Shoesmith.** There have been increased purchases by China from third countries, such as Pakistan, Sudan, Egypt, and Mexico. There may be other factors involved in that. I do not think it represents a political decision, as some people have speculated. But perhaps, one of my colleagues can comment on other factors?

Mr. Laux?

Mr. **Laux.** Well, as you know, China's purchases of U.S. cotton grew substantially over a 4-year period, peaking, really, in 1980, and dropping in 1981. And that drop has continued into this year.

Mr. **Hance.** In 1982 have any purchases been made by the PRC? Not shipments but purchases?

Mr. **Laux.** Yes. According to our figures, I think in the first 5 months of 1982 they have purchased 164 million dollars' worth of American cotton. But part of the reason for the decline is the growth in their own production of cotton. They have had 2 bonanza years of production of cotton. They also have broadened their purchases to other countries. Now, in our textile negotiations, the Chinese have made the point to us several times since last fall that if we weren't a little more liberal in terms of allowing their exports of textile and apparel into the United States, they might cut their purchases of cotton. And because of this decline in purchases, it looks as though that might be partly responsible. We are inclined to think, however, that it is more these other factors of increased production, et cetera, than a deliberate political decision.

Mr. **Hance.** As the purchases have declined, what has been happening as far as the textiles coming into this country from the PRC? Has that been declining?

Mr. **Laux.** No. There has been steady growth of Chinese textiles into the United States. They are now our fourth largest supplier after Hong Kong, Taiwan, and Korea.

Mr. **Hance.** The textile agreement expires, I believe, in December. You are negotiating a new textile agreement; is that correct?

Mr. **Laux.** I would defer on that question to the U.S. Trade Representative.

Mr. **Hathaway.** I am Michael Hathaway, Deputy General Counsel, U.S. Trade Representative. The textile agreement does expire at the end of this year. Ambassador Peter Murphy will be going to China to begin the next round of negotiations in August. We would expect, or hope, anyway, for a successful extension of the bilateral.

I believe something on the order of 75 percent of PRC textile trade is now subject to restraint. While there are a large number of categories that are not, the preponderance of their trade is subject to restraints now.

We have six items that have been the subject of calls for consultations under the bilateral agreement.

Mr. **Hance.** It seems to me that in negotiating the new agreement—and I would like to have a report back on this—that if the amount of cotton that they are purchasing continues to go down and yet they are trying to increase the amount of textiles coming into this country, that this is not a good bargaining point for them. Maybe we should look into this.

Mr. **Hathaway**. We have been watching that, and as was previously stated, we believe it is probably more likely that the decline in their cotton purchases is due to their own harvests, rather than them actually exercising that leverage.

But it is something our textile negotiators are well aware of, and we would be happy to report back to you on that in the consultations in August.

Mr. **Hance**. I would appreciate that. Thank you, Mr. Chairman.

Chairman **Gibbons**. Mr. Frenzel?

Mr. **Frenzel**. Thank you, Mr. Chairman. I want to thank both of the witnesses, all of the witnesses, for their testimony, and I hope that the hospitality that Secretary Shoesmith gets here is as good as that which he has extended to this committee in some of his recent domains.

Mr. Chairman, I would like to follow up on the question of the gentleman from Texas with respect to our cotton sales in China, and anybody who wants to get in the game can answer it.

As I recall, we had extensive negotiations with the People's Republic about their quota, and the People's Republic took the position that cotton was one of the few things that they could produce very quickly, and that they were carrying a substantial deficit, and felt that they should have a larger quota and a greater ability to sell in our country.

Obviously it is pretty difficult for them to buy from us unless they have some things to sell. Is that a part of the problem with the cotton sales?

Mr. **Laux**. Well, I can answer from a trade point of view. I think it certainly is. Whenever the Chinese list their complaints with us in trade negotiations, at the head of the list is their trade imbalance—the fact that we enjoy a substantial surplus with them.

Mr. **Frenzel**. Can you tell us what that balance is at the moment?

Mr. **Laux**. Well, the surplus last year was $1.7 billion. The previous year it had been $2.7 billion. For the first 5 months of this year it is nearly $570 million. We are estimating it will be about $1 or $1.1 billion for the year.

Mr. **Frenzel**. Right. As we have found in our own case, it is very hard to operate with continuing trade deficits. If we don't find something China can sell us, it is still going to be hard for them to buy cotton in the future, particularly if they need to buy wheat to feed their people; is that not correct?

Mr. **Laux**. That is correct.

Mr. **Frenzel**. I would say to my colleague, I think part of the problem was the restrictions of the new multifiber agreement which doesn't provide for very much give on our part. We don't have much to offer them, and it will be very difficult for them to buy if they can't sell.

I would like to ask Secretary Shoesmith if the Chinese have made any progress on some kind of reasonable office facilities for Americans in Beijing.

Mr. SHOESMITH. We now have, as you may know, Mr. Congressman, a Foreign Commercial Service Representative, and are building up a staff there. I believe, Mr. Laux, that we have recently gotten office space for the Foreign Commercial Service Representative in the new hotel that has just been completed, and that will be a much more suitable, if still somewhat crowded space than what we have had——

Mr. FRENZEL. I wasn't thinking so much of the Foreign Commercial Service as I was of space for American private businessmen. For years, they have been talking about building some sort of trade center. Our people have been working out of hotel rooms and under crummy circumstances.

Mr. SHOESMITH. Right. I am not too familiar with that. Are you?

Mr. LAUX. Yes. Doing business in China and Beijing in particular is a tough proposition for Americans. The Chinese just do not have the apartment buildings or the office buildings to provide living or office space for us, or for any other foreigners, or for themselves, for that matter.

So most American businessmen have to work out of their hotel rooms. Some of them have occasionally been worried when there were rumors that they were going to be forced out of these hotel rooms, and then what would they do for an office?

Now, in the trade negotiations, and business facilitation discussions that we have conducted under the trade working group of the Joint Economic Committee, this is one of the points that we have pressed for, better facilities and some arrangement for office space.

What the Chinese have guaranteed us is that they will not force any American company representatives out of their hotel rooms.

Mr. FRENZEL. Well, in your negotiations I hope you would bring that point home. This subcommittee has been very disappointed with the PRC performance compared to, perhaps not promises, but statements which led us to believe that there would be proper facilities to do business in China, and there definitely are not. Have we completed all the air traffic agreements that we are going to complete with China, or are we still in negotiations?

Mr. SHOESMITH. The present civil aviation agreement that we have has been working reasonably well and there will be discussions undertaken later this year to examine the possibilities for increasing frequencies.

But, so far as I am aware, we are not contemplating renegotiation of the agreement, or a new agreement.

Mr. FRENZEL. You are not looking to put another carrier or two in there?

Mr. SHOESMITH. The agreement provides for the invitation of a second carrier beginning in 1983. We are discussing this matter with the Chinese.

Mr. FRENZEL. Well, I hope you don't give up your long-range ambitions.

Mr. SHOESMITH. Of course not.

Mr. FRENZEL. It seems one of the things that the countries seem to be able to do with each other is exchange tourists.

Mr. SHOESMITH. Quite right.

Mr. FRENZEL. I would like to see the American carrier interests pressed as vigorously as we can. Thank you, Mr. Chairman.

Chairman GIBBONS. Mr. Downey?

Mr. DOWNEY. Thank you, Mr. Chairman.

Mr. Scanlan, I am sorry I didn't hear your testimony, but I have it here in front of me.

I just want to strongly endorse the notion that you pointed out, that we are going to view the Eastern European countries, not as a monolithic, but each on their own merit. I happen to think that that is the right position for our Government, and I want to commend you for it.

I also want to get some feeling from some of you about this notion of annual waivers of this section and whether or not it makes some sense to do it for a 2-year or 3-year period of time so that people can plan.

I mean if our goal is to deal with these nations individually, and encourage their distance from the Soviet Union, it seems to me that rather than this annual business, that we develop a more businesslike and professional attitude with respect toward trade relations, which means that we may have a 2- or 3-year waiver.

May I hear some comments with respect to whether or not we should make this 2 or 3 years, instead of an annual pilgrimage for you to come up here and tell us the Romanians and Chinese are being nice?

Mr. SCANLAN. I think it might be useful if we heard from our trade colleagues on what effect that might have on trade, if I might ask Deputy Assistant Secretary Frank Vargo from Commerce to comment with regard to Eastern Europe.

Mr. VARGO. Well, there is no question that granting MFN for a larger number of years, going to a multiyear basis, would have the effect of increasing trade. Many American companies tell us that it is very difficult to plan their commercial activities on a year-to-year basis.

Mr. DOWNEY. So, let me ask you the reverse of the question.

Do you see any way or reason in the next year, for instance, or can you postulate any reason why that we would withhold MFN status from these countries?

I mean the Chinese, the Romanians, and Hungarians? What would they have to do to lose MFN? Why are we doing this every year I guess is basically my question?

Mr. SCANLAN. At the present time it is required by law.

Mr. DOWNEY. I understand.

Mr. SCANLAN. The law would have to be changed.

Mr. DOWNEY. Is changing the law a good idea, Mr. Scanlan, in your opinion?

Mr. SCANLAN. I think one would have to evaluate very carefully what effect this annual review has on the requirement that they make progress toward free emigration, and I suspect you would come out with a different answer on a country-by-country basis.

Therefore, it seems to me that if you want to extend multiyear to one or more countries again, it would have to be done on an analysis that dealt with individual countries rather than a group of countries.

Mr. DOWNEY. You have the impression that these annual authorizations are a useful tool for forcing their feet to the fire with respect to Helsinki accords and emigration policy?

Mr. **Scanlan**. Well, I think it has had some effect, yes.

Mr. **Downey**. Define for me "some."

Mr. **Scanlan**. Well, I think with regard to Romania, for instance, it has been useful for us to talk to the Romanians about our concerns, particularly as I keep saying over and over again, with the lengthy process that is required to emigrate from Romania, a process that takes frequently a year or more, a time during which people are left in something of limbo.

They have already declared their intention to leave the country and yet they do not have the final authorization to leave. That is, frankly, our greatest concern.

Anyone who has the desire to leave should be given the opportunity and then should be processed swiftly.

Romania, although it has improved very much with regard to emigration to the United States, and has in terms of the pool of available potential emigrants to Israel, has remained relatively constant over the past several years; it has done nothing to improve the process time, which is our great concern.

Within the context of this annual review, one can only guess at the effect it has, but certainly we do talk to them in this context about our continuing concern about this lengthy process.

We would continue to talk to them, but whether or not it would—perhaps the gratitude for getting multiyear MFN would have a favorable effect.

Mr. **Downey**. From a diplomatic point of view, would you favor keeping the annual authorization?

Mr. **Scanlan**. Well, I don't think I can make that decision myself.

Mr. **Downey**. Why don't you just give me an opinion?

Mr. **Scanlan**. Well, I think that, again, you would have to analyze it on a country-by-country basis. I think you could make a case for it, you could make a case against it.

Mr. **Downey**. I think you can, too. I would be happy to yield.

Mr. **Frenzel**. I thank the gentleman for yielding. I know Secretary Shoesmith's testimony indicated that we have got a fair backup of Chinese emigrants in some categories to this country. Obviously, this is not a good tool for forcing more emigration on that country. It would seem that we should be going on a case-by-case basis. Why don't you ask him about China?

Mr. **Downey**. I will be happy to yield to the gentleman to ask that question, if you like.

Mr. **Frenzel**. Would you think it would be a good idea to have a multiyear review rather than annual review for a country like the PRC, which does not apparently have the emigration problem we perceive elsewhere?

Mr. **Shoesmith**. I think my answer would be precisely that point. I think the policies of the People's Republic of China since 1979 on matters of emigration have been part of a broader effort and a broader policy to increase contact with the outside world, to liberalize their own internal system, and not as a response in an effort to get MFN treatment.

I don't think removing the waiver process would have any effect at all. They would continue to have, in my view, a liberal policy on emigration.

My feeling is, as far as China is concerned, China's policy will continue to conform to what we are seeking under 402——

Mr. FRENZEL. I appreciate that. I think also China's business methods are mysterious to many U.S. businessmen. We would be well advised to go to a multiyear period, I think.

Mr. DOWNEY. I thank the gentleman for his comments, and I think he has more articulately and artfully expressed my position as well.

I am just skeptical that, if our goal is trade, as opposed to some diplomatic wedge, then multiyear authorizations make far more sense than annual ones.

I thank the Chair for yielding.

Chairman GIBBONS. Mr. Jenkins?

Mr. JENKINS. Thank you, Mr. Chairman. I want to follow up just a moment on the issue raised by Mr. Hance and also by Mr. Frenzel dealing with the textile area.

I guess my question should be directed to Mr. Hathaway. When we talk about trade surpluses, it depends upon what area those trade surpluses are resulting from, I guess, in order for us to be somewhat more objective. But my information indicates, and as the panel has indicated, China is now the fourth leading exporter of textiles and apparel into this country, amounting to some 562 million square yards in 1981.

Chinese imports of print cloth, a basic textile fabric, exceeded 150 million square yards last year, and practically ruined the domestic print cloth business.

The potential imports obviously in these particular areas of textile and apparel from China boggles the mind. What I want to know is what kind of assurances can you give me and other members on the subcommittee interested in this particular field, that the United States will take a firm position in negotiating with the Chinese a good, comprehensive and meaningful textile agreement this year. If we are going to give MFN tariff treatment to China on its trade coming into the United States, then we ought not put our workers into jeopardy by allowing more entry of textiles and apparel than meets our own domestic market growth.

China has become a major supplier of these goods to the United States and the potential is obviously there for China to become the No. 1 supplier, without any question.

Today, we have 200,000 fewer textile and apparel workers employed in this country than we had a year ago. I understand that the economy plays a part in this, and I do not deny that, but with trade from China last year growing at 73 percent and already this year at 44 percent, with a projection of a $6 billion overall textile trade deficit this year, there is obviously some cause for concern among us who are particularly sensitive to the textile industry in this country.

I know that is a two-way street, but I am concerned about the direction that we are heading in the textile and apparel field.

Mr. Hathaway, do you have any comments at all?

Mr. HATHAWAY. I believe if we have been criticized with respect to China, it has been probably more from exercising the authority under the bilateral agreement quickly to respond to increases in imports of particular products from China rather than from sitting back and waiting for them to take over a particular section of the market.

I know on the individual items in which they have shown an increase in trade, that those items have been and continue to be under close scrutiny by the Commerce Department and by our office and by the other offices in the State Department which monitor textile imports. This information will be considered in making proposals for the renewal of the bilateral with China which will begin next month. I believe it is fully consistent with what we have always said, that the negotiations will be conducted with a view toward the needs of our domestic industry. Certainly, we would take into account the need to expand bilateral trade and also take into account the trade in the textile area of not just between the United States and China, but between other major suppliers. That is if there were a shift in trade through People's Republic of China increases, that we certainly take into account the impact of that when looking at other bilateral agreements and looking at the domestic situation of both the industry and workers.

I am sure that Ambassador Murphy has been in contact with you, Mr. Jenkins, and other members of the committee that have a serious concern with the employment situation in the textile area and will be, I am sure, also continuing to do that through the bilateral negotiations.

Mr. **Jenkins**. I hope we would. I keep getting different signals. When I look back at the rate of growth in these particular areas, it disturbs me that we may not be as firm in our commitment as it appears. As a matter of fact, on the question that was raised a few minutes ago about the cotton sales—and I have no parochial interest in cotton, I don't have any cotton farmers—but the information that I have is totally different than what was indicated a few moments ago.

My information, which I understand came from our Embassy, was that there have actually been no purchases of cotton in 1982; that there have been completed old contracts that are being fulfilled. As far as new purchases, did someone on the panel say there have been $164 million in new purchases in 1982?

Mr. **Laux**. Yes. I think you are referring to the cable that came in from the Embassy this morning. What they said is they have no evidence of purchases in 1982, even though the Chinese claim they have purchased 50,000 to 60,000 tons of U.S. cotton in 1982. However, on the basis of the monthly trade statistics, data available to the Department of Commerce, Chinese purchases through the first 5 months of this year have been $164 million.

Mr. **Jenkins**. Where do you get that information? Where does that come in from?

Mr. **Laux**. I am going to have to turn to an expert to give you that.

Mr. **Jenkins**. It does not come through our Embassy?

Mr. **Laux**. No. The data are derived here from U.S. Customs information, and we believe these are shipments from the United States.

Mr. **Jenkins**. There might very well be a difference if there are shipments. That does not mean that there are new purchases in 1982, does it?

Mr. **Laux**. Again, according to the information provided to the Embassy in Beijing, the Chinese claim they have made purchases in calendar 1982, not just purchases in 1981 that would be delivered in 1982.

Mr. **Jenkins**. Other members of the subcommittee, I know, have an interest in that. It was, I thought, ironic when I saw that as apparels and textiles continue to increase, that the cotton purchase, it appeared to me, was in a decline, a very steep declining situation. I was obviously concerned.

I will follow, of course, the textile area, Mr. Hathaway. I appreciate your response.

Chairman **Gibbons**. As I mentioned in my opening statement, this is our seventh hearing on this subject matter. We followed very closely the emigration matters as the statute has requested. I think it would be appropriate for me at this time to recognize the father of the Vanik-Jackson amendment, Mr. Vanik, who is with us in the room, following up on his continuing interest in this matter.

Since we have talked a little about the emigration policy of the People's Republic of China, I won't identify the Chinese leader, but it was a very prominent Chinese leader, who, when he met Mr. Vanik, said, "Oh, yes, Mr. Vanik, I know about you, and I know about your interest in emigration policy. How many Chinese do you want?"

It seems to me that they have lived up to that offer. We are the ones that have not opened our doors enough.

I wish that same attitude prevailed in Romania. I frankly do not understand why the Romanians persist in apparently keeping people that do not want to live there. It seems to me it would be a self-defeating attitude, but I hope that through the State Department and through all other trade fields that we will continue to keep the pressure on the Romanian Government to relax their hold on people who apparently want to emigrate.

I have not had an opportunity to go to Romania personally. I hope to do it sometime in the future and see what is going on there as best I can. I don't want to leave this subject with any of you at this table without expressing what I am sure is the feeling of most of the members of this committee, and certainly of this member, that we want the Jackson-Vanik amendment carried out vigorously. We will continue to monitor it.

I think Mr. Downey has made a good suggestion; that perhaps it is now appropriate to take a different measure of treatment for some of the countries that have shown good faith in compliance with that request of ours. I would certainly, Mr. Downey, be happy to consider each one of these countries on their own merits.

I think it is perhaps time to do that.

Mr. **Downey**. Mr. Chairman, would it be in order this year to make an amendment to the act for those countries we feel deserve---

Chairman **Gibbons**. We probably won't pass an act like this this year. We may have some other trade legislation to which such an amendment could be added. Currently our only available course of action is in the form of a disagreement to the President's recommendation, in which either House has the privilege of disagreeing.

That kind of action would not go to the President's desk for his ratification and approval.

Mr. DOWNEY. I understood from the witness we would have to change the law.

Chairman GIBBONS. We would have to change the law. With all the things on our agenda, I doubt we could get it done right now. It is something that I think we perhaps ought to seriously consider this year—maybe if there is time, do it this year.

I hope perhaps on that note the administration will take note of our interest in that and perhaps be prepared for a request from the committee to testify on that subject as to whether or not we should, following the spirit and intent of the Vanik-Jackson amendment to the Trade Act, treat the nonmarket countries on an individual basis rather than as a group and give those that have been making substantial progress in emigration matters a much longer timeframe in which to work and plan.

Are there any further questions by the committee of this panel?

I would like to get into a long discussion with you about the remaining economic problems, for instance, what is the prospect for Romania? I know the Romanians have debt problems. Hungary has some debt problems. What is the situation? What does it look like?

Mr. SCANLAN. Mr. Chairman, before responding to that, may I respond to a question Congressman Hance asked about Bible smuggling? I should have looked at my notes before I responded.

I did not answer it—I think I said 15 people had been arrested. Actually, 11 were arrested and in all but 1 case they were sentenced to jail terms of 5 to 7 years for smuggling Bibles into Romania and distributing them.

We have been in touch with the Romanian Government on this on several occasions. We do recognize there were violations of Romanian laws regarding imports, and they were also accused of importing other printed materials, cassettes, things like that, without permission, in violation of Romanian law. But we have taken the position with the Romanian Government that the sentences were unduly harsh, even given their laws.

We are continuing to make representations. We look forward to getting your list of eight names so we can make continued representations.

With regard to your question, Mr. Chairman, this has been a difficult year for Romania economically. They fell off their IMF program. They have now, with the IMF, worked out a new program. That program has been signed just recently. They are in the process of renegotiating, rescheduling their 1982 debt with the commercial banks; and just last week, they began the process of rescheduling their debt to governments.

Their debt is badly structured. They are not as deeply in debt as Poland, by any means. They are not as deeply in debt on a per-capita basis as even Hungary. They do have a debt, high debt, of $10 to 12 billion. It is badly structured in that an undue amount of it falls due this year.

Our belief is that with this rescheduling, which will probably be for a period of some 6 years with a 3-year grace period—that is the type of thing that is being talked about now—not the entire debt obviously, but a significant proportion of it, that it would give them the breathing spell to recover economically. They have made some significant investments this past year in intensifying their exploitation of their substantial gas reserves. They have also made a substantial investment in their first nuclear powerplant, and this is a powerplant being built by a Canadian firm, but with significant amounts of U.S. equipment.

As a matter of fact, most of the equipment is U.S.—General Electric—and it is a big contract for General Electric. This is to try to increase their energy independence because they have been importing—although Romania does produce petroleum, it has to import in order to have enough to supply its substantial petrochemical industry.

They will be able to offset a lot of that by their increased gas production. They are also taking some steps in agriculture, but we believe that their problem is more of a short-term problem than a long-term problem; and if they do the things they say they are going to do, they—and have a little bit of luck with regard to crops—they will make it.

But at the present time, they have taken the monetary steps that we suggested they pursue when we were talking to them about that earlier this year; and they seem to be moving in the right direction.

Chairman GIBBONS. Hungary, on the other hand, is in better shape. Is that right?

Mr. SCANLAN. Overall, Hungary is in better shape. It also has a large foreign debt. On a per-capital basis, it is a very large debt; but their economy, overall, is performing much better. Their export posture is much better. They are, however, even more dependent on energy imports than is Romania. They also have a liquidity problem, because there are substantial deposits in Hungarian banks of foreign deposits by Arab countries, and the Soviets, which have been withdrawn. Everybody is having liquidity problems. Since Hungary had such a good banking system, they are losing a lot of that, and it has hurt their liquidity situation.

Again, they are taking steps that we think—they are now a member of the IMF. They will qualify for some IMF standbys later this year. We think they will—they are likely to make it, too.

Chairman GIBBONS. Mr. Shoesmith, you mentioned there were now 8,000 Chinese students studying in the United States. Is that right?

Mr. SHOESMITH. Yes, Mr. Chairman. About half of those are on Government-sponsored programs.

Chairman GIBBONS. Chinese Government-sponsored programs?

Mr. SHOESMITH. Yes. The others are on private arrangements, many of them by relatives here in the United States who are assisting their relatives in China or children of their relatives to come to the United States for study.

I would imagine that the figure will hold at about that level for the short term.

Chairman GIBBONS. Thank you very much.

I want to thank the entire panel for their participation in this discussion.

Mr. **Frenzel**. Mr. Chairman, some of these departments will leave some personnel behind, won't they, to help us tussle with questions later during these hearings?

Chairman **Gibbons**. Well, I guess if we asked them to.

Mr. **Frenzel**. Perhaps we can dispatch the big shots who have lots of things to do, but maybe they can leave some of their personnel behind to help us.

Chairman **Gibbons**. Before you leave, Mr. Hance has a further question.

Mr. **Hance**. One last question: Could you check on the figure you gave me, that of $164 million in new cotton sales to the PRC, and whether these are actually new purchases this year.

Could you doublecheck on that and get back with us?

Mr. **Laux**. Yes, sir.

Chairman **Gibbons**. Thank you very much.

[The prepared statements of Messrs. Hathaway, Vargo, and Cornell follow:]

STATEMENT OF C. MICHAEL HATHAWAY, DEPUTY GENERAL COUNSEL, OFFICE OF THE U.S. TRADE REPRESENTATIVE

Mr. Chairman, it is a pleasure for me to testify before the Subcommittee this afternoon in support of extension of the President's waiver authority under Section 402 of the Trade Act of 1974. The Office of the United States Trade Representative strongly supports the extension of this authority, and in particular, the extension of the waivers permitting most-favored-nation treatment for Romania, Hungary, and the People's Republic of China. Extension of the President's general waiver authority and the specific waivers for Romania, Hungary, and China will allow the United States to expand the bilateral economic and politicial relationships which have been established with these countries.

At this point, let me state for the record that USTR fully endorses the views on emigration and human rights with regard to these three countries as expressed by my colleagues from the Department of State.

As the agency within the Executive Branch with principal responsibility for the coordination and implementation of U.S. East-West trade policy, as well as for the conduct of East-West trade negotiations, USTR strongly believes that the continuance of the President's waiver authority under Section 402 of the Trade Act is necessary and desirable if the United States is to continue to develop its bilateral economic relations with Romania, Hungary and the People's Republic of China. The extension of most-favored-nation treatment has been the cornerstone of the development of our bilateral economic relations with these three countries. At the same time, the development of our bilateral economic relations has been essential to the improvement of our bilateral political relations.

The trade agreements concluded under Section 405 of the Trade Act have allowed the United States to establish mutually beneficial commercial relationships with Romania, Hungary and China. Under these agreements trade has grown considerably. Significant new markets for U.S. exports have been developed.

The continued extension of most-favored-nation treatment of all three countries will provide a solid foundation for continued progress in the development of our bilateral economic relations. Were the President's waiver authority to be discontinued, this foundation would be undermined and our trade and economic, as well as our political, relations with these countries would deteriorate rapidly. The positive results that have been achieved with each of these countries are testimony to the importance of continuing the extension of most-favored-nation treatment.

Romania became the recipient of most-favored-nation treatment in 1975. Since that time, U.S.-Romania trade and economic relations have grown and matured. Total two-way trade has increased from about $450 million in 1976 to over $1 billion in 1981, with U.S. exports accounting for $504 million of that total. The President's decision last year to renew the U.S.-Romania bilateral trade agreement reflects the value placed on the benefits of trade with Romania to the United States.

Romania has become eligible for and has utilized Export-Import Bank lending programs and Commodity Credit Corporation (CCC) credits to purchase U.S. exports.

Romania is also eligible for political risk insurance from the Overseas Private Investment Corporation (OPIC).

Romania was an active participant in the Tokyo Round of Multilateral Trade Negotiations (MTN) and the U.S. and Romania concluded a satisfactory bilateral agreement. Since the conclusion of the MTN, Romania has formally adhered to most of the nontariff measure codes and international arrangements negotiated during the Tokyo Round.

The extension of MFN treatment has enabled Romania to benefit from eligibility for the U.S. Generalized System of Preferences (GSP). Romania ranked fifteenth among the beneficiary developing countries in terms of total duty-free U.S. imports under GSP. In 1981, Romania duty-free exports under the program totaled $108.5 million. These duty-free exports allowed Romania to earn additional hard currency, contributing to Romania's capacity to purchase U.S. exports.

The extension of most-favored-nation treatment also has been a significant factor in the development of U.S. trade and economic relations with Hungary. Since the implementation of the U.S.-Hungarian Trade Agreement in 1978, bilateral trade has increased significantly. Total trade turnover rose from $127 million in 1977 to $206.1 million in 1981.

A satisfactory balance of concessions has also been maintained since the signing of the U.S.-Hungarian Trade Agreement in 1978. U.S.-Hungarian trade has grown and Hungary has also bettered working conditions for U.S. businessmen, increased access to leading industrial officials, and improved significantly the availability of economic and commercial information to U.S. and other Western firms.

With the extension of MFN, the major impediments which previously affected the growth of U.S.-Hungarian trade have been removed. Hungary has become eligible for loans from the Export-Import Bank and credits from the Commodity Credit Corporation.

Hungary was also an active participant in the MTN and reached agreement with the U.S. on reciprocal tariff reductions and reductions in certain nontariff barriers to trade. Since the conclusion of the MTN, Hungary, like Romania, has formally adhered to many of the multilateral codes on nontariff trade barriers and the international arrangements negotiated during the Tokyo Round.

Turning to China, it is also evidence that significant advances in bilateral U.S.-Chinese relations have occurred since most-favored-nation treatment was extended to China in February 1980. The extension of MFN to China has contributed to a dramatic increase in bilateral trade. Total trade in 1981 jumped to approximately $5.8 billion, compared to $2.3 billion in 1979. The PRC has become our largest nonmarket economy trading partner.

In the short time since the approval and implementation of the U.S.-China Trade Agreement, the two countries have resolved outstanding claims, China has become eligible for Export-Import Bank loans, Commodity Credit Corporation (CCC) credits, and Overseas Private Investment Corporation (OPIC) insurance. The two countries have also signed major protocols and agreements covering textile trade, taxes, grain trade, civil aviation, consular services, and maritime affairs.

The U.S.-China Joint Economic Committee held its second formal session in November 1981 in Beijing and discussed a number of trade, financial and investment issues.

In January 1981, China promulgated its Foreign Enterprise Income Tax Law. The purpose of this statute is to permit foreign enterprises operating in China to avoid double taxation. China has promising offshore oil exploration areas and negotiations with international oil companies, many of them U.S. based, began in earnest this year.

This is not to suggest that problems have not developed from time to time in our trade relations with these countries. On the contrary, we expected that as trade develops and its associated benefits grow, so will the incidence of problems. However, each of these countries has demonstrated a willingness to cooperate in resolving problems. For the most part, these have been addressed satisfactorily through the informal and formal mechanisms established under and in conjunction with the trade agreements.

For example, although bilateral trade with China has increased dramatically, and the U.S. continues to enjoy a large surplus, increases in Chinese exports have caused some concern within certain domestic industries in the United States. We have discussed Chinese exports in potentially sensitive domestic product sectors on numerous occasions. In addition, we have established a dialogue with officials of the Chinese Embassy here in Washington, and our Embassy and Consulates have established a similar and extensive dialogue with officials in China. As a result of these efforts, the Chinese have developed a better understanding about the conditions which characterize the various product sectors in our domestic market.

Some problems remain unresolved in our trade relations with these countries. However, let me assure you that we will continue to push for resolution of these problems through existing mechanisms in a manner which is conducive to the continued development of our bilateral trade and economic relations.

In conclusion, I would reiterate that the extension of most-favored-nation treatment forms the foundation of our trade and economic relations with each of these three countries. As such, it is also an important component of our overall relations. In each instance, the decision to extend MFN treatment was based on the goals of furthering the intent of Section 402 and expanding commercial opportunities for U.S. exports. Failure to continue the extension of MFN would deliver a major setback to these policy objectives, as well as the continued development of our relations with these countries. For these reasons, the Office of the United States Trade Representative strongly urges the continued extension of the waiver authority provided the President under Section 402 of the Trade Act of 1974 and the specific waivers as they apply to Romania, Hungary, and the People's Republic of China.

STATEMENT OF FRANKLIN J. VARGO, DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR EUROPE

Mr. Chairman, I am pleased to appear before this subcommittee today to support the President's recommendation to extend his general waiver authority under Section 402(c) of the Trade Act and the specific waivers for Romania, Hungary, and China under Section 402(b)(5) of the Act.

Extension of the waivers permits continuation of Most-Favored-Nation (MFN) tariff treatment for these countries for 12 months and promotes the objectives of Section 402 of the Trade Act regarding freedom of emigration.

In addition, extension of the waivers is strongly in our commercial interest. The extension of MFN treatment is the cornerstone of our bilateral trade relations with Romania, Hungary, and China. MFN and the associated trade agreements have created new and valuable commercial opportunities for U.S. firms and jobs for American workers, thereby making a contribution to the strength of our economy.

Moreover, the extension of MFN has furthered the important objective of bringing these three countries more fully into the international trading system and adhering to the rules and customs of the system. Extension of the waivers demonstrates also our continuing support for the development of bilateral trade and the strengthening of our overall economic and political relations with Romania, Hungray, and China.

MFN status for Romania, Hungary, and China has been of fundamental importance in our trade relations and to the growth of U.S. trade. Our overall trade with these countries has increased over 50 per cent since MFN status was granted to these countries. In 1981, the U.S. conducted nearly $7 billion in total trade and exported over $4 billion worth of U.S. products to these countries.

With MFN, our companies can compete on an equal footing with their international competitors; without MFN, the U.S. would likely become a supplier of last resort. Furthermore, our commercial relations have not only expanded but have also intensified, with many American firms involved in cooperation and joint ventures with Romanian, Hungarian, and Chinese enterprises.

As the department most involved in safeguarding U.S. trade and commercial interests, the Department of Commerce monitors trade with these countries and enforces import and export regulations. When U.S. industry has been sensitive to foreign imports and questions of market disruption and dumping have been raised, Commerce has used informal consultations, bilateral agreements, or direct application of Government regulations.

It has been the experience of the Commerce Department that Romania, Hungary, and China have heeded our laws and honored their agreements. While we do have problems with these countries, partly due the complex trade relationships we have attained, we consider our trade relations of significant value and of benefit to all partners.

At this point, I wish to state for the record that the Department of Commerce fully endorses the views on emigration expressed here today by my colleague from the Department of State.

UNITED STATES-ROMANIAN TRADE TRENDS

United States-Romanian trade turnover edged up to a new high of $1.064 billion in 1981. U.S. exports declined from $720 million in 1980 to $504 million last year, while U.S. imports increased from $312 million to $560 million (See Table 1). Significant amounts of U.S. exports are transshipped to Romania through third countries and are not reflected in U.S. data. According to Romanian data, trade turnover in 1981 was $1.336 billion: $856 million in U.S. exports and $480 million in U.S. imports

The decline in U.S. exports from 1980 to 1981 was primarily in energy, raw materials, and machinery. For example, exports of bituminous coal fell from $61.2 million in 1980 to $40.9 million in 1981. Most agricultural exports also fell, although less substantially. Exports of certain items, such as corn and animal fodder, registered significant growth. U.S. manufactured goods exports to Romania in 1981 consisted primarily of office machines, measurement and control instruments, tractor parts, and machinery for welding and soldering. (See Table 3).

The dramatic increase in U.S. Imports from Romania from 1980 to 1981 was the result of increases in a number of categories. There were notable increases in imports of processed petroleum products and carbon steel plate (CSP), which grew from $12 million in 1980 to $87.8 million in 1981. Romanian CSP exports are currently the subject of a U.S. anti-dumping investigation. (See Table 4).

Romania's current financial situation severely limits the prospects for U.S. exports for the short-term. Romania has fared poorly in the changing structure of international trade in recent years. The country has become a heavy importer of oil in a period of sharp world energy price increases, causing an additional burden on its balance of payments. In mid-1981, Romania encountered a very difficult short-term liquidity situation, which resulted in its requesting a rescheduling of external debt. In response to the debt situation and the difficulty it has encountered obtaining credits, Romania has taken steps to control hard-currency expenditures. Outlays will be sharply curtailed in the next few years as the Romanian Government tries to reduce its total foreign debt. Under an IMF-endorsed stabilization program, foreign trade activities will continue to be reorganized. Domestic investment is being concentrated on projects already started, but not completed, in previous annual plans. These measures are largely responsible for the decrease in U.S. exports to Romania in 1981.

Romania went from Column II tariff treatment to non-discriminatory tariff treatment in August of 1975, and then, with respect to a limited number of commodities, to preferential tariff status under GSP commencing in January 1976. The principal effect of granting MFN and GSP to Romania has been a rapid growth and development in our trade. The United States has become Romania's second leading trade partner in the West, after West Germany.

In 1981, all but one of the top fifteen Romanian exports (the list headed by gasoline, iron and steel plates, and lubricating oils) benefited substantially from MFN tariff status. For those products, which accounted for 77.8 percent of Romania's total exports to the U.S., the difference between the MFN and non-MFN tariff levels ranges from double the lower rate up to five to six times the MFN level. (See Table 4).

Some of the top fifteen imports affected by the lower MFN tariff rates, such as textiles and footwear, are in areas where U.S. industry is sensitive to foreign imports. Romania, however, accounts for an extremely small percentage of total U.S. imports in any of these categories. Whenever potential market disruption questions have arisen, in recent years, they have been resolved through either informal consultations or bilateral agreements by which Romania's exports were either restrained or established at mutually agreed upon levels.

As a developing country, Romania has made use of the Generalized System of Preferences (GSP) program. In 1981, Romania exported to the U.S. approximately $108.5 million in products which were eligible for GSP. Of the top ten U.S. imports from Romania, two benefited from GSP treatment: railroad cars and parts.

STATUS OF TRADE RELATIONS WITH ROMANIA

The expansion of our commercial relations in recent years can be attributed, in part, to the efforts of both governments to create a sound framework and favorable atmosphere for the development of trade and economic cooperation.

The United States has taken steps to support the growth of U.S. exports to Romania. Since November 1971, Romania has been eligible for trade financing programs of the Export-Import Bank of the United States (except for a short period of suspended activity from January to August, 1975). Similarly, since 1970 the Commodity

Credit Corporation (CCC) has played an important role in the export of U.S. agricultural commodities to Romania. Due to the uncertainty of Romania's creditworthiness while debt rescheduling is being worked out, U.S. Government credit agencies are temporarily not authorizing credits for Romania.

Romania has made efforts to integrate its economy in the world economic system and to make its foreign trade system responsive to Western business needs.

Romania is currently a member of the General Agreement on Tariffs and Trade (GATT), the International Monetary Fund (IMF), and the World Bank (IBRD). Participation in these and other international economic organizations has helped to facilitate Romania's efforts to diversify its trade outside of the COMECON countries. In 1980, approximately 60 percent of Romania's trade was with non-communist nations.

Romania also has passed progressive legislation which allows foreign equity ownership in joint companies with Romanian partners and which permits U.S. and other Western firms to open representation offices in Romania. At present 32 U.S. firms or their European subsidiaries have representation offices in Romania. One American company has formed a joint company with a Romanian partner in Bucharest and numerous other companies have engaged in cooperation activities. Romania maintains commercial offices in New York, Chicago, Los Angeles, Houston, and Atlanta.

Several institutions have been created to monitor and guide the development of bilateral trade. Since its founding in 1973, the Joint American-Romanian Economic Commission has met annually to review bilateral economic and commercial relations and to discuss and resolve trade problems. The Commission's work has been supported by numerous working groups.

The Commission met for its Eighth Session in Washington (June 28–29) and was co-chaired by Commerce Secetary Baldrige and Romanian Foreign Trade Minister Constantin. Topics included were: current economic conditions impeding the further development of U.S.-Romanian trade; Romania's efforts to resolve its international financial problems; annual renewal of MFN status; the status of U.S. Government-supported trade credits; the problem of payments due to suppliers in both countries; provisions of Romania's patent law; Romanian petitions for coverage of additional products under the U.S. Generalized System of Preferences (GSP); import and export policy questions; and business facilitation matters.

Both governments strongly support the work of the Romanian-U.S. Economic Council, which facilitates increased contact between U.S. firms and Romanian companies and economic organizations and is helping to develop further our trade relations. The Council has been active since its founding in 1973 and will meet for its Ninth Plenary Session this fall in Romania. We look forward to the Council's important and continuing efforts to expand commerce between our two countries.

High-level visits have maintained a continuing dialogue between our two countries. During the past 14 months such visits have included those of: Secretary of Commerce Baldrige (May 1981) and Secretary of State Haig (February 1982) to Romania; and of Deputy Foreign Trade Minister Ardare (July 1981), Finance Minister Gigea (October 1981), Machine Building Minister Avram (November 1981), Foreign Minister Andrei (June 1982) and Foreign Trade Minister Constantin (June 1982) to the United States.

UNITED STATES-HUNGARIAN TRADE TRENDS

Analysis of United States-Hungarian trade trends is complicated by the significant amount of trade which is transshipped through third countries and is not reflected in U.S. trade data. Hungarian figures show imports from the United States for 1981 at $231 million, triple the U.S. figures of $77.5 million (see Table 9). Many Western countries face the same difficulty of accurately accounting for their trade with Hungary because of these transshipments. Both U.S. and Hungarian figures substantiate the favorable growth in trade since the reciprocal extension of MFN and reflect the strong role of manufactured goods in U.S.-Hungarian trade.

According to U.S statistics, total U.S.-Hungarian trade has grown 24 per cent, from $166.6 million in 1978 to $206.1 million in 1981. Manufactured goods have benefited the most under non-discriminatory tariff treatment, rising from 46 per cent of total trade in 1978 to over 75 per cent in 1981. Agricultural trade has fluctuated over this period, with the U.S averaging $28.6 million in exports to, and $34 million in imports from, Hungary (see Table 5).

United States-Hungarian trade increased 10 per cent last year, from $186.5 million in 1980 to $206 million in 1981. While U.S. exports have remained just under the $80 million level for the past three years, U.S. exports of manufactured goods have steadily risen from $44.8 million in 1978 to $63.5 million in 1981. Manufactured goods now represent over 80 per cent of U.S. exports to Hungary.

Hungarian foreign trade over the last several years has been affected by a deterioration in terms of trade, reduced growth of material deliveries from the Soviet Union, and this past year, an increasingly worrisome Western debt. Due to the reluctance of Western banks to lend to Eastern Europe. Hungary faces serious difficulty in financing its foreign trade, though recent membership in the IMF and the World Bank should improve its financial situation.

Current Hungarian trade strategy is to concentrate on expanding hard currency exports while restraining hard currency imports so as to manage Hungary's Western debt, estimated at $7.5 billion. Hungary's efforts to achieve a more balanced trade will result in only limited gains in its standard of living and restrictions in investments.

We expect only limited growth in total U.S.-Hungarian trade for 1982, no more than a five percent increase over the 1981 levels. The composition of trade should remain the same with manufactured goods constituting the major share of trade (see Table 5).

Externally, long-term U.S.-Hungarian trade prospects will be determined by international economic trends. Internally, continued commitment by the Hungarian leadership to its economic reform program and increases in productivity will strongly influence Hungarian investments and import demand.

Hungary plans to continue its economic reform program of market-oriented measures. To stimulate the competitiveness of enterprises, recent government regulations have consolidated and reduced the size of many Hungarian Ministries and encouraged the formation of small and medium-sized industrial enterprises. These measures complement Hungary's long-range program of decentralization and provide a more rational basis for the economy.

STATUS OF TRADE RELATIONS WITH HUNGARY

Since the signing of the U.S.-Hungarian Trade Agreement in 1978 both countries have worked to create a favorable climate for the development of trade and cooperation between our countries. By providing for reciprocal extension of MFN tariff treatment, overall trade has expanded and a supportive environment has been created in which to develop commercial contact between U.S. firms and Hungarian enterprises and organizations.

A strong institutional framework between the two countries has provided the foundation for our bilateral relations. The U.S.-Hungarian Trade Agreement, signed in July 1978, is the most important development in commercial relations between the two countries. It provides for reciprocal extension of Most-Favored-Nation (MFN) tariff treatment, contains market disruption safeguards, addresses business facilitation issues, and stipulates patent and copyright protection.

The U.S.-Hungarian Joint Economic and Commercial Committee was established in March 1979 as a government-to-government institution meeting annually to discuss bilateral trade prospects and provide a forum for the discussion of trade problems. The Joint Committee's Third Session in Budapest in May 1981 discussed patent protection for U.S. chemical companies, export licensing matters, industrial cooperation, and business facilitation issues. The next session of the Joint Committee will be held in the fall of 1982.

High level visits have been essential elements of U.S.-Hungarian trade relations. Last November, the Hungarian Foreign Trade Minister reviewed bilateral trade issues with senior U.S. Government officials in Washington. In May, Deputy Premier Jozsef Marjai visited the United States and met with U.S. Government officials, including President Reagan and Vice President Bush, and Congressional leaders. Both visits included discussions with leading U.S. business representatives.

In the private sector, the work of the Hungarian-U.S. Economic Council has been particularly valuable in promoting cooperation and contacts between key commercial decision-makers. The Seventh Plenary session of the Council took place this past October in Budapest and reviewed such issues as the Hungarian economy and investment, as well as foreign trade financing. The Council continues to make an important contribution to the expansion of commerce between our two countries.

American firms maintain a diversified presence in Hungary. Several companies have offices in Budapest and other have indicated an interest in establishing representation offices in Hungary. Over 60 companies are involved in some form of industrial cooperation, including Hyatt International which opened on June 19 its $68 million Budapest Atrium Hotel.

These efforts have promoted a hospitable commercial climate. Hungary permits the establishment and operation of offices with adequate office space, telecommunication services, and available local personnel. The Hungarian government has been one of the most forthcoming in Eastern Europe in providing economic and commercial information. Direct access for U.S. businessmen to Hungarian enterprises and foreign trade organizations is available with a minimum of delay.

The reduction of tariff barriers under MFN treatment has provided a strong impetus to bilateral trade and has created opportunities for U.S. firms such as Action Tungsram of New Jersey, the first production joint venture in the U.S. involving an Eastern European country. A 50 per cent reduction in tariffs for Hungarian buses under MFN treatment has been instrumental in expanding a major bus assembly facility, Crown Coach Corp., located in Southern California.

UPDATE OF PATENT ISSUE

During the annual review of MFN for Hungary last year, Congressional concern was shown for a commercial dispute between a U.S. and Hungarian company. Negotiations, facilitated by the Department of Commerce and the U.S. Embassy in Budapest, resulted last December in a preliminary commercial agreement with the parties that is very close to a final agreement.

Concerns in past years also have been voiced over patent interpretations and delays encountered by U.S. companies in obtaining patent protection. Through the U.S.-Hungarian Joint Economic and Commercial Committee and with the support of the National Agricultural Chemical Association (NACA), discussions have taken place aimed at minimizing patent difficulties encountered by U.S. firms in Hungary.

UNITED STATES-CHINA TRADE TRENDS

Since diplomatic normalization in 1979 and the signing of the U.S.-China Trade Agreement in 1980, bilateral trade has expanded rapidly. Two-way trade which doubled in 1979 ($2.3 billion) more than doubled again in 1980 ($4.8 billion). In 1981, trade ($5.5 billion) grew more slowly (14.3 percent) compared to the 1980 level. This was due primarily to China's efforts to trim imports generally as part of its economic readjustment. Nevertheless, China last year ranked sixteenth among our export markets worldwide, and was our twentieth largest trading partner.

U.S. exports during 1981 declined slightly (4.0 percent) from 1980 levels (from $3.7 to $3.6 billion). U.S. imports from China on the other hand grew markedly last year (from $1.1 to $1.9 billion), accounting for 34.5 percent of two-way trade. The growth in imports reflects the overall improvement in bilateral relations and an increased emphasis by China on expanding its exports to hard currency markets. Despite the growth in imports from China, the U.S. registered a $1.7 billion surplus in 1981. Bilateral trade for the first five months of 1982 totalled $2.3 billion, a slight decrease from the 1981 level ($2.4 billion) for that period.

The commodity composition of U.S.-China trade has also changed since normalization. Although U.S. exports to China are predominantly agricultural commodities, the share of non-agricultural goods in total trade has been increasing. By 1981, non-agricultural products had risen to 46 percent of U.S. exports to China, compared with 30 percent in 1978. Leading U.S. exports to China include synthetic fibers and resins, fertilizers, and measuring and controlling instruments (see Table 3). Leading U.S. imports from China include petroleum products, ores, nonferrous metals, textiles and apparel, and other light manufactures (See Table 4). Because Chinese exports to the U.S. tend to be concentrated in light manufactures considered to be economically sensitive domestically, the strong Chinese performance in these sectors has caused concern. In these cases, however, we believe that bilateral agreements, as in the case of textiles, and existing import protection mechanisms, including escape clause, antidumping and countervailing duty statutes, are adequate to meet specific problems.

STATUS OF COMMERCIAL RELATIONS WITH CHINA

The institutional framework for normal trade relations was further expanded during the last year. In November 1981, the two countries signed a limited tax treaty covering airline and maritime earnings, and began negotiations for a comprehensive tax treaty. We are currently in the preliminary stages of discussions leading to possible negotiation of a bilateral investment treaty.

Our two countries have also maintained a dialogue on a broad range of political, economic, and cultural issues. In the economic and commercial area, this dialogue has been advanced through visits to both countries by high level government officials, working level commercial delegations, and by U.S. Congressional leaders concerned with trade. In February of this year, Assistant Secretary of Commerce for Trade Administration Lawrence Brady visited China to open the U.S. Department of Commerce's Light Industry Exhibition. A U.S. Trade and Development (TDP) mission to China in June resulted in a signed contract between the TDP and the Ministry of Water Conservancy and Electric Power for a TDP-financed feasibility study for an important Chinese hydropower project. Last month, Assistant Secretary for International Economic Policy Raymond Waldmann met with officials in China to discuss their industrial development plans in the areas of petroleum, coal, hydropower, and electronics, all of which hold considerable potential for U.S. firms. Mr. Waldmann also had a series of very frank and useful discussions with Chinese patent and petroleum officials on issues of particular concern to U.S. firms. OPIC President Craig Nalen also visited China last month to discuss OPIC programs. Later this year, Under Secretary for Travel and Tourism Peter McCoy will be travelling to China to discuss tourism issues of concern to both the United States and China.

In 1981, a number of Chinese delegations also visited the United States. In September, representatives from the Shanghai Investment and Trust Corporation (SITCO) met with Department of Commerce officials to discuss investment opportunities for American companies in Shanghai. This was followed by a visit from representatives of the International Trade Research Institute of the Ministry of Foreign Trade to study market research techniques in the U.S.

During the past year, we have taken important new steps in our business assistance and market development programs, concentrating our efforts on the key Chinese energy sector. Last summer, the Department of Commerce sponsored a briefing on China's offshore oil development for senior executives of U.S. oil companies. We have since held frequent discussions with both U.S. company and Chinese officials to facilitate U.S. participation in this effort. In February of this year, the Department sponsored a National Light Industry Exhibition in Beijing which resulted in off-the-floor sales of $4.6 million and at least $5 million in potential sales. 82 U.S. firms participated. In the hydropower area, we have used the vehicle provided by the bilateral Hydropower Protocol under the Science and Technology Agreement to promote U.S. industry's participation in China's future hydropower projects.

We have also made considerable progress in improving the services and support that the U.S. Government provides American firms resident and travelling in China. In November the President designated China as a country to be served by the Foreign Commercial Service (FCS) and last month we officially opened our FCS facility in Beijing. We now have a Commercial Counselor and an FCS officer in Beijing and an FCS officer each in Shanghai and Guangzhou. Two additional officers will be assigned to Beijing later this summer. These three posts and our FCS officers in Hong Kong will focus their efforts on helping American businessmen and investors play a major role in China's modernization program.

For their part, the Chinese have taken measures to further improve the business climate for American firms in China. In addition to the joint venture law and the individual tax law published earlier, the Chinese issued detailed regulations for the joint venture law early this year. This was followed by the distribution on bidding documents, related laws and other materials to 40 international (21 U.S.) oil companies that have qualified to bid for the right to explore oil off China's Yellow and South China Seas. Prior to May 10, the Chinese had released to the firms laws, regulations and other information about the bidding procedure.

In a move to reassure potential investors, last month China's Foreign Investment Commission co-sponsored with UNIDO an investment promotion meeting in Guangzhou. The conference was attended by 400 foreign companies, including over 50 U.S. firms. In a departure from normal procedures, China provided detailed information on 120 specific projects. In addition, all of the Chinese organizations involved in economic decision-making were represented at the conference, allowing firms to obtain a more realistic view of the prospects for approval of these projects.

This new flexibility in dealing with potential foreign investors, and a more aggressive approach to soliciting foreign investment in China has yielded results. Chinese officials have announced that as of early 1982, 40 joint ventures with a total investment of $189 million have been approved. China has recently announced several additional significant contracts with foreign investors. In the largest potential joint venture to date, Occidental Petroleum Company's subsidiary, the Island Creek Coal Company, has signed a contract with the Ministry of Coal to provide a feasibility study for an open pit coal mine in North China. Also, a number of contracts have been signed between foreign and Chinese organizations to work together to supply goods and services in support for the offshore oil development program.

During the past year, we have made considerable progress toward building mutually beneficial commercial and economic ties with China. Much remains to be done, however, before the full potential of our relationship is realized. Mr. Chairman, the continued extension of MFN is a key element in our efforts to broaden and strengthen our commercial ties with China and I fully support the President's recommendation.

CONCLUSION

MFN status for Hungary, Romania, and China have served U.S. economic interests well and should continue to do so in the future. Extension of the waiver authority under Section 402 of the Trade Act for these countries is in our national interest. It will continue the development of our economic and commercial relations with these countries and support the expansion of our economic cooperation on a firm and enduring basis.

TABLE 1.—VOLUME AND COMPOSITION OF UNITED STATES-ROMANIAN TRADE

[In millions of dollars]

	1979	1980	1981	January to March 1981	January to March 1982
U.S. exports:					
Manufactured	100.3	134.4	51.7	20.2	20.7
Agricultural	336.5	462.6	368.4	151.0	56.6
Other	63.7	123.2	83.8	20.3	13.9
Total	500.5	720.2	503.9	191.5	91.2
U.S. imports:					
Manufactured	230.0	229.4	377.5	67.5	66.3
Agricultural	34.0	30.2	27.9	10.5	7.1
Other	65.6	52.6	154.7	29.7	17.5
Total	329.6	312.2	560.1	107.7	90.9
Trade turnover	830.1	1032.4	1064.0	299.2	182.1
Trade balance	170.9	408.0	−56.2	83.3	.3

TABLE 2.—UNITED STATES-ROMANIAN TRADE, JANUARY-APRIL, 1982-82

[In millions of dollars]

	January to April 1981	January to April 1982[1]
U.S. exports	273.2	123.3
U.S. imports	183.8	128.1
Trade turnover	457.0	251.4
U.S. balance	+89.4	−4.8

[1] Most recent figures available.

TABLE 3.—LEADING U.S. EXPORTS TO ROMANIA, 1977-81

[In millions of dollars]

1981 rank	1977	1978	1979	1980	1981
1. Corn or maize	15.8	22.7	104.2	158.2	226.9
2. Animal feed	9.5	8.6	57.0	69.2	86.7
3. Bituminous coal	53.6	32.4	29.1	61.2	40.9
4. Sulfur	0	0	2.7	7.2	22.0
5. Cattle and horse hides	26.7	52.2	59.7	28.8	22.0
6. Wheat	16.0	0	12.5	89.1	17.9
7. Cigarettes					8.4

TABLE 3.—LEADING U.S. EXPORTS TO ROMANIA, 1977–81—Continued

[In millions of dollars]

1981 rank	1977	1978	1979	1980	1981
8. Cotton					7.0
9. Tires					6.4
10. Automated office machines					4.2
11. Pulp and waste paper					3.8
12. Measuring and controlling instruments	6.8	5.9	5.8	11.5	3.4
13. Vehicle and tractor parts					3.2
14. Synthetic-organic pesticides					3.2
15. Machinery for welding and soldering					2.7
Subtotal	128.4	121.8	271.0	425.2	458.8
Total exports	259.4	317.4	500.5	720.2	503.9

Note: In years 1977–80, commodities marked with (.......) did not appear on leading exports list.

TABLE 4.—LEADING U.S. IMPORTS FROM ROMANIA, 1977–81

[In millions of dollars]

1981 rank	1977	1978	1979	1980	1981
1. Gasoline and other motor fuels					90.2
2. Iron and steel plates, sheets	0	14.6	7.2	12.0	87.8
3. Lubricating oil and greases					50.0
4. Leather footwear	20.4	35.4	41.1	41.6	39.2
5. Oilwell casings,					38.2
6. Pumps and parts					23.3
7. Furniture and parts	6.7	11.3	14.6	15.7	18.4
8. Meat in airtight containers	14.8	21.7	25.2	19.5	17.2
9. Glassware	5.2	8.9	12.9	12.5	14.4
10. Nonelectric machine parts	4.2	6.9	12.8	11.7	14.2
11. Railway cars					12.6
12. Sweaters and outerwear	9.6	13.8	9.8	12.2	12.4
13. Tractors	7.4	8.2	10.7	11.2	11.9
14. Parts for railway cars	0	0	19.7	30.4	9.2
15. Fuel oils					8.9
Subtotal	68.3	120.6	154.0	166.8	447.9
Total	233.3	346.6	329.3	312.2	560.1

Note: In years 1977–80, commodities marked with (.......) did not appear on leading imports list.

TABLE 5.—VOLUME AND COMPOSITION OF UNITED STATES-HUNGARIAN TRADE

[In millions of dollars]

	1979	1980	1981	January to March 1981	January to March 1982
U.S. exports:					
Manufactured	52.4	54.0	63.5	21.9	18.6
Agricultural	24.5	24.4	12.9	1.8	2.5
Other	.7	.6	1.1	.3	.4
Total	77.6	79.0	77.5	24.0	21.5
U.S. imports:					
Manufactured	75.6	75.8	93.1	23.2	27.7
Agricultural	35.9	31.3	34.0	12.1	7.9
Other	.7	.4	1.5	.4	.1
Total	112.2	107.5	128.6	35.7	35.7
Trade turnover	189.8	186.5	206.1	59.7	57.2
Trade balance	−34.6	−28.5	−51.1	−11.7	−14.2

TABLE 6.—UNITED STATES-HUNGARIAN TRADE, JANUARY–APRIL 1981, 1982

[In millions of dollars]

	January to April 1981	January to April 1982 [1]
U.S. exports	31.1	28.6
U.S. imports	45.0	45.4
Trade turnover	76.1	74.0
U.S. balance	−13.1	−16.8

[1] Most recent figures available.

TABLE 7.—LEADING U.S. EXPORTS TO HUNGARY, 1977–81

[In millions of dollars]

1981 rank	1977	1978	1979	1980	1981
1. Vehicle and tractor parts	6.0	5.5	4.1	7.9	7.4
2. Phosphatic fertilizers					7.3
3. Cotton					3.8
4. Specialized industrial machinery					3.5
5. Cattle hides	4.3	4.2	5.4	2.1	3.0
6. Measuring and controlling instruments	2.3	2.7	3.1	3.8	2.6
7. Glass rods, tubes	1.5	2.3	2.2	2.9	2.4
8. Agricultural machinery for cultivation		10.9	3.6	3.3	2.2
9. Drugs, bulk	.2	1.4	1.0	4.2	2.2
10. Internal combustion engine-piston type					1.5
11. Tractors, wheel-type					1.3
12. Live cattle					1.3
Subtotal	14.3	27.0	19.4	24.2	38.5
Total	79.7	97.7	77.6	79.0	77.5

Note: In years 1977–80 commodities marked with (......) did not appear on leading exports list.

TABLE 8.—LEADING U.S. IMPORTS FROM HUNGARY, 1977–81

[In millions of dollars]

1981 rank	1977	1978	1979	1980	1981
1. Parts for motor vehicles	4.0	1.2	23.2	25.6	30.4
2. Meat and meat preparations					23.2
3. Motor buses					10.0
4. Sealed beam lamps	4.1	5.9	8.3	8.2	9.6
5. Footwear	1.9	6.4	5.6	9.7	7.2
6. Drugs, benzenoid					2.0
7. Glassware	.7	.7	1.2	1.9	1.9
8. Furskin, undressed					1.9
9. Typewriters	.3	1.6	4.2	2.4	1.9
10. Prepared pork	20.0	26.4	23.2	22.8	1.8
11. Alcoholic beverages					1.7
12. Men's and boys' outerwear	.3	.9	4.0	2.9	1.5
Subtotal	31.3	43.1	69.0	73.5	93.1
Total	46.6	68.5	112.2	107.2	128.6

Note: In years 1977–80, commodities marked with (......) did not appear on leading imports list.

TABLE 9.—COMPARISON OF UNITED STATES AND HUNGARIAN STATISTICS FOR U.S. EXPORTS TO HUNGARY (1980 AND 1981)

[By single digit SITC categories in millions of dollars]

Categories	1980			1981		
	United States	Hungary	Difference	United States	Hungary	Difference
0—Food and live animals	19.40	38.10	18.70	3.23	23.70	20.47
1—Beverages and tobacco	.42	.80	.38	0.	1.30	1.30
2—Crude materials except fuels	4.70	45.80	41.10	9.98	24.30	14.32
3—Mineral fuels, lubricants	.02	.50	.48	.20	5.70	5.50
4—Animal and vegetable oils	0	0	0	.02	0	.02
5—Chemicals	9.16	53.90	44.74	15.95	45.90	29.95
6—Manufactured goods	11.18	19.80	8.00	6.66	21.30	12.64
7—Machinery and transport equipment	25.50	64.30	38.80	34.38	87.60	53.22
8—Miscellaneous manufactures	6.70	17.10	10.40	4.63	20.60	15.97
9—Items N/class	.30	.70	.40	.65	.90	.25
Total	78.00	241.00	163.00	77.51	231.30	153.79

TABLE 10.—VOLUME AND COMPOSITION OF UNITED STATES-PEOPLE'S REPUBLIC OF CHINA TRADE, 1979–82

[In millions of U.S. dollars]

	1979	1980	1981	January to March 1981	January to March 1982
U.S. exports:					
Manufactured goods	653.0	1,223.2	1,134.7	319.0	312.8
Agricultural commodities	990.2	2,209.5	1,956.3	751.3	506.2
Other	73.3	316.3	507.6	112.9	85.5
Total	1,716.5	3,749.0	3,598.6	1,183.2	904.5
U.S. imports:					
Manufactured goods	361.9	715.7	1,151.3	264.4	365.4
Agricultural commodities	88.0	136.2	333.6	69.3	50.4
Other	142.4	206.4	410.4	46.7	140.8
Total	592.3	1,058.3	1,895.33	380.4	556.6
Trade turnover	2,308.8	4,807.3	5,493.9	1,563.5	1,461.1
Trade balance	+1,124.2	+2,690.7	+1,703.3	+802.8	+347.9

TABLE 11.—UNITED STATES-CHINA TRADE, JANUARY–MAY, 1981–82

[In millions of dollars]

	January to May 1981	January to May 1982 [1]
U.S. exports	1,652.8	1,424.0
U.S. imports	712.1	854.2
Trade turnover	2,364.9	2,278.2
U.S. balance	+960.7	+569.8

[1] Most recent figures available.

TABLE 12.—LEADING U.S. EXPORTS TO PEOPLES REPUBLIC OF CHINA, 1978–81

[In millions of U.S. dollars]

1981 rank	1978	1979	1980	1981
1 Wheat	250.2	214.1	1,093.3	1,269.0
2 Cotton	157.3	357.0	701.3	464.0
3 Noncellulosic manmade fibers	46.4	62.2	193.6	312.0
4 Yarn and thread of nylon, polyester, et cetera	1.3	27.8	62.6	188.5
5 Synthetic resins	2.0	30.5	117.7	167.8
6 Soybeans	15.3	106.7	155.2	129.7
7 Hardwood logs			41.4	89.2
8 Diammonium phosphate fertilizer	19.7	3.7	88.0	79.4
9 Noncelluiose woven fibers, tire fabrics	0.9	5.7	54.7	68.3
10 Wood pulp	4.1	3.9	66.8	67.9
11 Corn	111.7	268.5	224.5	62.5
12 Measuring and controlling instruments	11.7	46.5	44.8	52.4
13 Kraft paper and paperboard	.4	2.5	93.3	49.5
14 Pig and kid leather	(1)		9.4	33.7
15 Soybean oil	26.1	35.9	56.5	17.1
Subtotal	647.1	1,165.0	3,003.1	3,051.0
Total U.S. exports to the PRC	818.2	1,716.5	3,749.0	3,598.6

[1] Negligible.

Source: U.S. Census Bureau.

TABLE 13.—LEADING U.S. IMPORTS FROM CHINA, 1978–81

[In millions of U.S. dollars]

1981 ranking	1978	1979	1980	1981
1 Petroleum products		24.6	115.9	293.4
2 Oilseeds, nuts, and kernels	0.04	.02	.08	185.6
3 Outerwear apparel-women's, girls', infants' (not knit)	17.6	47.1	80.7	167.7
4 Woven cotton fabric	38.3	24.7	45.4	89.0
5 Miscellanious manufactured articles	20.3	23.9	49.8	86.5
6 Floor coverings and tapestries	13.6	22.0	49.4	66.8
7 Outer garments, men's and boys' (not knit)	11.4	26.0	37.2	63.1
8 Made-up articles of textile materials NSPF	6.2	10.5	28.1	57.2
9 Men's and boys' shirts and undergarments, women's, girls' and infants' undergarments (not knit)	9.9	28.8	29.7	55.3
10 Sweaters and other outerwear apparel (knit)	9.4	18.4	58.3	51.9
11 Nonferrous ores and concentrates	6.4	14.1	33.4	44.6
12 Footwear, new	3.4	18.4	24.0	41.9
13 Crude animal materials	34.2	21.1	37.8	36.5
14 Inorganic chemicals and compounds, NSPF	3.6	18.9	31.9	35.1
15 Prepared or preserved vegetables	1.6	2.0	20.5	34.6
16 Nonferrous metals	2.3	8.3	25.0	33.6
17 Underwear (knit)	3.7	10.1	13.7	31.5
18 Artworks, collectors' pieces and antiques	12.3	15.9	38.4	26.3
19 Explosives and pyrotechnic products	12.1	15.6	23.3	24.9
20 Organic chemicals and related products	3.9	8.8	22.8	24.2
Subtotal	210.2	351.2	765.3	1,499.7
Total U.S. imports from the PRC	324.0	592.3	1,058.3	1,895.3

Source: U.S. Census Bureau.

STATEMENT OF ROBERT A. CORNELL, DEPUTY ASSISTANT SECRETARY FOR TRADE AND INVESTMENT POLICY, DEPARTMENT OF THE TREASURY

It is a pleasure to testify before this subcommittee today in support of the President's recommendation to review most-favored-nation (MFN) tariff treatment to Romania, Hungary and the People's Republic of China. While these three countries are very different, as are our relations with them, this Administration believes that continued extension of MFN treatment will continue to promote the political objectives set forward in Section 402 of the Trade Act. Since my colleagues from the Department of State will comment on how these objectives have been met in the past, and particularly over the last year, I would like to focus my remarks on the development of our bilateral economic relations.

But first, I would like to reiterate the importance this Administration attaches to renewal of the waiver authority. We feel strongly that U.S. economic interests, in addition to our foreign policy objectives, will be furthered by an extension of the President's waiver authority. Renewal of such authority will allow the trade agreements that the United States currently has with these countries to stay in force. This in turn, will permit those countries to enjoy continued extension of MFN tariff treatment and access to official export credits such as those provided by the Export-Import Bank and Commodity Credit Corporation.

Continued access by these countries to MFN treatment and official financing will help preserve our bilateral trade with them, which we view as mutually beneficial. Maintaining their access to U.S. markets, on the same basis as other countries, will enable them to earn foreign exchange; this in turn will enhance the ability of these countries to purchase American products. The continued extension of MFN will thus encourage trade expansion with these countries and their continued access to our markets—goals to which this Administration is committed.

I would now like to comment briefly on our economic relations with Romania, Hungary and China.

ROMANIA

As I indicated in my testimony last year, Romania has maintained a very high degree of independence within the Eastern bloc. The U.S. has supported Romanian independence in economic relations by our encouragement of bilateral trade, participation in government-to-government exchanges, and expansion of commercial activities since the U.S.-Romanian Trade Agreement was entered into force in 1975. An extension of the bilateral trade agreement will continue our encouragement of Romanian independence in economic relations.

The United States has benefited from our generally satisfactory economic relations with Romania. In particular, Romania has been a consistent buyer of U.S. exports such as agricultural and manufactured goods, and a reliable supplier of petroleum products. U.S.-Romanian trade has expanded three-fold since the 1975 Trade Agreement. In 1981, two-way bilateral trade grew to a record level of over $1 billion. For the first time, bilateral trade was roughly in balance. The U.S. surplus of past years disappeared due to the economic difficulties the Romanians have encountered in recent years. The second "oil shock" of 1979 resulted in an increase in the costs of Romania's energy imports. This came on top of a steady growth of its current account deficit from the mid-1970's due to rapid expansion of its domestic demand and neglect of its agricultural sector. To finance these deficits, Romania increased its external borrowing relying especially on short-term credit.

In part because of the financial markets' nervousness over Romania's mounting deficits and in part because of the fallout from Poland's debt crisis, private lending to Romania began to dry up. Consequently, Romania's arrears on payments of its commercial debt began to mount. This, in turn, constituted a violation of one of the conditions attached to its access to financing from the International Monetary fund under its three-year standby arrangement, a broad stabilization program aimed at restoring a sustainable external payments position for Romania. Moreover, the U.S

Government denied a request for Commodity Credit Corporation financing for agricultural exports and the Export-Import Bank suspended disbursement on a large direct credit to Romania.

Early this year, Romania began to take steps to solve its financial and economic difficulties. Last month, following lengthy consultations with the IMF staff, the IMF Board approved a new standby program for Romania for 1982-83. The Government of Romania has also initiated discussions with its private and government creditors, respectively, on rescheduling its debt to them. If successful, in negotiating a rescheduling package and with the access to IMF funds, Romania could be back on the path to economic and financial health.

Although our trade relations with Romania will be limited in the immediate future by financial constraints, the prospects for mutually beneficial economic ties in the long-term future are substantial. The continuation of trade on a non-discriminatory basis will promote such economic ties.

HUNGARY

I also noted in my testimony last year that Hungary has a strong interest in becoming an active participant in the international economic system. Hungary is a member of the GATT and has become a signatory to many of the MTN codes. In May of this year Hungary joined the IMF. Prior to and in preparation for taking that step the Hungarian Government unified its commercial and tourist exchange rates into one partially convertible rate. It is currently planning on making Hungary's currency fully convertible over the next few years; it would become the first community country to do so. This is just part of a program of market-oriented reforms begun in 1968 which has decentralized much economic activity and increased the role of market forces in determining prices.

Since the conclusion of the U.S.-Hungarian Trade Agreement in 1978, overall bilateral trade has increased modestly from $166 million in that year to $206 million in 1981. We expect U.S.-Hungarian trade to increase slowly but steadily over the years.

The Hungarians have reduced their economic growth during the past three years in an effort to reduce their current account deficit. While Hungary recorded its third consecutive trade surplus in 1981, interest charges pushed the current account into a $600 million deficit. Hungary's gross hard currency debt at the end of 1981 was $8.4 billion, almost 90 percent of which is owed to private Western banks including roughly 10 percent owed to U.S. banks. The Government of Hungary plans to continue its policy of slow economic growth in 1982 and for the next several years. Thus, living standards will continue to be subordinated to the goals of eliminating the current account deficit and reducing Hungary's external debt.

The Hungarian Government has made minimal use of U.S. export credit and guarantee programs in the past because of its decision to rely primarily on private markets for external financing. However, we believe that continued access to U.S. Government credit and guarantee programs is important to future U.S.-Hungarian trade, because such financing can help U.S. exports penetrate or increase their share of the Hungarian market. An extension of the existing waiver will permit the continued availability of these credits.

CHINA

I also pointed out last year that overall economic relations with China have expanded significantly since February 1980 when China received most favored nation status. This positive trend has continued over the past year and is perhaps best illustrated by the growth in bilateral trade. Two-way trade has increased from $2.4 billion at the end of 1979 to nearly $6 billion, which it is expected to approach at the end of this year. Throughout this period the U.S. has maintained a trade surplus which again this year is anticipated to exceed $1 billion. The outlook for bilateral trade is one of continued growth, if at a slower pace.

While trade expansion has been an important and highly visible aspect of bilateral relations, other aspects of our economic relationship have flourished as well. Over the past two years, both governments have met annually to review the development of economic relations in the U.S.-China Joint Economic Committee (JEC). These meetings have highlighted the growth of our finance, investment and trade ties; in them we have sought ways to ensure the continued expansion of these ties. At the Committee's last meeting in Bejing in November 1981, the U.S. delegation led by Treasury Secretary Regan, forcused on taxation, finance and investment, trade and the exchange of economic information. We intend to continue similar discussions at the next meeting this fall.

In the last few years we have signed numerous agreements with the Chinese to provide a framework in which economic ties can develop; these cover our bilateral textile trade, maritime affairs, civil aviation operations, consular relations, grain trade, Eximbank financing and Overseas Private Investment Corporation programs. In March, we signed tax agreements regarding shipping and airline earnings. Both governments have also scheduled the negotiation of a bilateral income tax treaty to begin this September. Most recently, in June, the U.S. signed an agreement with the Chinese to finance a feasibility study of a hydropower project under our Trade and Development Program. In addition, Eximbank is currently considering credits to assist in the sale of $80.5 million in U.S. steel equipment exports to China which would raise Eximbank's exposure in China to $125.5 million. Also, we were pleased to welcome the official opening of a branch of the Bank of China in New York City this past March.

China's domestic and external financial position remains relatively healthy. The current economic reorganization and bureaucratic streamlining highlight the seriousness with which the Chinese approach their modernization program. The Chinese have reported sharp reductions in their budget deficits, and despite their continued access to more than $20 billion in Western credits, they have drawn only a fraction of them. Their total trade of $41 billion for 1981 registered a record hard currency trade surplus of $3.8 billion. This increased China's foreign exchange reserves to $5 billion and enabled the Chinese to service their foreign debt of $4.4 billion with relative ease. A continued trade surplus of $1.7 billion in the first quarter of this year has allowed Beijing to reduce its foreign debt even further to $2.9 billion as well as its debt service ratio to less than 5 percent. If the Chinese continue to pursue prudent financial policies we expect that they will be able to maintain a strong external financial position.

The expansion of U.S.-China economic ties has coincided with an active emergence of China into the international financial world and its lending institutions. We urge the extension of the President's waiver authority in order to encourage the continued growth of China's involvement in the world economy and expansion of our bilateral economic and political relations.

In concluding, I would like to restate the Administration's belief that renewal of the waiver authority not only serves to achieve political objectives but also promotes the expansion of mutually beneficial economic ties. We, therefore, urge that most-favored nation tariff treatment to Romania, Hungary and China be continued.

Chairman **Gibbons**. We now have a panel of Dr. Emanuel Merdinger from the University of Florida; Mrs. Ildiko Trien of New Jersey; and Dr. Podea of New York.

I would ask you all to please summarize. We have a large number of witnesses for this particular hearing and if you could give us the gist of your testimony and let us ask questions, we would appreciate it. Your full statements will be included in the record.

STATEMENT OF EMANUEL MERDINGER, PROFESSOR OF ROMANCE LANGUAGES AND LITERATURES, UNIVERSITY OF FLORIDA

Mr. **Merdinger**. Mr Chairman, honorable members of this subcommittee, I am Dr. Emanuel Merdinger, distinguished professor at the University of Florida in Gainesville, Fla.

Thank you for the privilege of coming before you for the sixth time to request the extension of most-favored-nation status for our friends in Romania. My sincere wish to maintain friendly relations that are beneficial to both Romania and the United States drives me to appear here.

Every time we visited Romania, my wife, who is a Baptist, and I participated in a religious service at the Baptist Church in Bucharest. The minister and other people assured my wife that they enjoy religious freedom and that they had received recently 5,000 Bibles from West Germany.

Last fall I participated in three international scientific congresses in Bucharest. One of them, "Scientists and Peace," was held under the auspices of the President of Romania, Nicolae Ceausescu. Leading scientists from about 35 nations including most Western countries, presented papers. In unison all the scientists praised the efforts of the Romanian leader in his drive for peace.

When President Ceausescu engineered us out of the Vietnam war, he emerged as a world leader for peace. In vain, other world leaders had tried to bring the Vietnam war to an honorable end before President Ceausescu began his diplomatic successful intervention.

Ceausescu's drive for peace accelerated after the Congress on Scientists and Peace and sent his now-famous telegrams to Presidents Reagan and Breznhev, urging Mr. Reagan not to build the neutron bomb and Brezhnev to withdraw all missiles menacing Western countries.

Everyone here is familiar with the current economic crisis in the Warsaw Pact nations. Romania has been hit hard and is trying tremendously to untangle herself. I believe Romania can certainly succeed with the help of Western nations, although she will need several years.

I know well the Romanian people and am convinced that with some moderate incentive they will overcome. America needs an independent and economically strong and friendly Romania in southeastern Europe.

As a peacemaker President Ceausescu has proven to the world that he lives up to his principles even if it means exposing himself and his country to great danger by defying Russian demands. When Russia asked Romania to participate in the invasion of Czechoslovakia in 1968, President Ceausescu dared to say "No." A few years ago he defied the Soviets by refusing to increase the military budget.

Mr. Ceausescu plays a leading role as world peacemaker. Most likely he has prevented more than one brush-fire war to the benefit of the United States in his many contacts with heads of states, large and small. Many millions of people consider him a champion of peace. Mr. Ceausescu deserves the extension of the most-favored-nation status for Romania and also the Nobel Prize for Peace.

Chairman Gibbons. Thank you.

Mrs. Trien.

STATEMENT OF ILDIKO TRIEN, NORTH CALDWELL, N.J.

Mrs. Trien. Thank you, Mr. Chairman.

As in past years, I join the President and other Government officials in a favorable recommendation of continuation of waivers permitting an extension of MFN trade status for Romania.

There are many valid reasons to support further extension of MFN status, but the main reason is that it is in America's best interest that we continue to expand our relations with Romania. MFN was granted several years ago and since then America's relations with Romania have expanded significantly. MFN was a major factor in establishing this relationship which led via open and candid dialog to development of mutual trust, respect, cooperation and progress in not only trade matters but also in sensitive areas such as political, security, and human rights areas.

I believe in leverage if it is used in the most efficient way. From an immigration issue point of view, we can watch the bottle, half full or half empty. Since Romania got MFN status, the number of people who emigrate increased significantly. Why did Jewish emigration decrease this year? It is maybe because old people don't want to leave or there may be less people in today's world economy who want to leave the country and change their lands. I do not know.

Another point is that I do not believe that there should be always said to Romania, "your intentions are not to let people emigrate." Time is important. People are talking here of time. The State Department mentioned the long time of Romanians—that they take to let people emigrate. I do not think that the United States immigration policies intend to be bad, yet they took 1½ years to solve the Haitian problems.

Was it the intention of the United States to not solve this problem? No. I think it is just crazy. I think, too, Romania has its own bureaucracy. It has to fight it. It has to get through this. It has to improve. But don't take away the MFN status for that. The Romanian bureaucracy was always there. I am Jewish. My family survived in Romania because of the bureaucracy. They did not give my family to Auschwitz or the Nazis in the 1930's and 1940's because of their bureaucracy.

There may be a legitimate reason their bureaucracy does not let their people emigrate easily. I do believe—and I know cases—that their emigration policy has eased. I am prepared to answer questions regarding immigration issues and any other areas of interest of the committee in which because of my frequent contact with Romania, I have personal knowledge. My brother still lives there. My mother still lives there. I have family in Romania.

[The prepared statement follows:]

STATEMENT OF ILDIKO TRIEN

I live at 1 Old Mill Road, North Caldwell, New Jersey. I appear here as an individual. I am interested in the future of America, my new country, but I cannot forget my Romanian heritage.

I was born and raised in Romania, attended high school and college there, and participated in the cultural life as a writer and cinema and theater actress.

I came to the United States in 1970 as a participant in a cultural exchange program. During that trip I met the American I married in 1973. I still have immediate family in Romania. I visit them in Bucharest frequently.

As in past years, I join the President and other government officials in favorably recommending continuation of waivers permitting extension of MFN trade status for Romania.

There are many valid reasons to support further extension of MFN status, but the main reason is that it is in America's best interest that we continue to expand our relations with Romania. MFN was granted several years ago and since then Amercia's relations with Romania have expanded significantly. MFN was a major factor in establishing this relationship which led via open and candid dialogue to development of mutual trust, respect, cooperation and progress in not only trade matters but also in sensitive areas such as political, security and human rights areas. While the social, cultural and political systems differ significantly, both America and Romania proved that two countries with such different structures can trust, respect and work together not only for their own mutual benefit but also that of all mankind. Romania's overall performance these past years has proven its sincerity and desire to continue this relationship with America.

An important fact to consider is the similarity of America's and Romania's foreign policy despite the reality that Romania is an Eastern European nation with a political, social and cultural structure that is completely different from ours. Our government representatives in past hearings have mentioned that both America and Romania worked closely on many problems in various countries including China and the Middle East. Romania's cooperation and performance convinced them that they were sincerely committed to this similar foreign policy. No other Warsaw Pact nation publicly denounced Russia's invasion of Afghanistan, supported Camp David, or wrote to both our President and Premier Brezhnev asking for disarmament.

I have been able to see the positive effects that Most Favored Nation Status has had on the developing relationship between Romania and America. The growth in understanding, economic ties, cultural relations and trust has helped Romania continue its independent (maverick) attitude in Eastern Europe.

During the past year, Romania has made progress in helping to unify families. I believe that Romania has lived up to its' commitment on emigration policies. In specific instances that I am familiar with, families were reunited here, in Canada, and in Europe.

I am prepared to answer questions regarding emigration issues or any other areas of interest to the Committee of which, because of my frequent contacts with Romania, I may have personal knowledge.

Chairman **GIBBONS**. Dr. Podea.

STATEMENT OF TITUS PODEA, NEW YORK, N.Y.

Mr. **PODEA**. I am presenting my paper in favor of support of extension of MFN.

Chairman **GIBBONS**. Try to get the mike a little closer to you, sir. We are having trouble hearing you.

Mr. **PODEA**. I present my paper in support of MFN for Romania. I take it that it is self-evident. I will use these few minutes to abbreviate a few other points in line with the same argument.

My first point is we do have to recognize and make a distinction between long-term and short-term solutions. Earlier, 2 years ago, I suggested after 5 years of experience, perhaps it was time to reconsider the short-term approach to solving this problem and perhaps to take a longer perspective.

A bipartisan policy well conceived in its essential elements allowing it to survive changes in administrations could, just the same, exert long-term stick-and-carrot pressures. Those who would undercut a durable relationship between Romania and the United States would stress a zigzag policy as evidence of their disfavor of improved relations.

I was encouraged today to hear that this committee is really concerned with bringing about another measure of efficiency and effectiveness to handling this problem.

My main point is that the relationship between Romania and the United States in political terms is of central and primary concern. As a result of this political interest that the United States has in Romania, it is just reasonable and fair to reward that country in terms of trade advantages. Consequently, I make the point that trade is an alternative in diplomacy and in the making of foreign policy to resolving tension and easing the way toward problem solving.

Romania is making strenuous efforts in the economic field to live up to its contractual obligations and from my recent experience—I have been in Romania recently—I have been involved in her economic analysis and her economic concerns, I am familiar with her day-to-day and long-term problems, and I can bring my assurance here that the effort toward meeting the international payments, rescheduling her debt, and living up to her contractual obligations are genuine.

Now, there remains an unresolved claim. Here may I make a parenthesis, sir? You have made in a facetious manner, I take it, the observation that China opened her exit door to millions when you referred to Senator Jackson's encounter with Vice Chairman Deng Xiaoping who said, "Well, how many Chinese do you want?" Why does Romania not say the same thing? Well, China is a country of 1 billion people; Romania is a country of 22 million. China has a Government population-control policy of not permitting more than one child per family. In China, if you give birth to two children, you get penalized in economic and social terms.

Therefore, one should recognize that there are aspects of scale and consequently the measures and the solutions fall in line with that kind of proportionality.

Indeed, the unresolved claims are cumbersome and give us much thought as to why they should occur and why over the years the procedures dealing with them could not be streamlined. Obviously the system, given as it is, is plagued with bureaucratic lags and consequently we can only hope that in the learning process from year to year the situation improves and that the unresolved immigration aspects eventually get resolved.

Occasionally in the past there have been remarks made in this committee that there are ethnic linguistic groups that also have certain claims. Well, let me say here that it is my understanding that our country and our U.S. Government does not mix into the minority problems of Europe. There is not a single country in Europe that does not have several linquistic minorities that are living and perhaps constrained in certain situations.

A country such as the United States composed of different religious and ethnic groups that take advantage of the American political process must be exceedingly careful not to penalize any one country as a result of the lobbying activity that goes on continuously without a challenge. If continued, this pattern will create enclaves of political arrangements in which the election of individuals will be mandated along religious and ethnic lines and our own Nation will be plagued with all the suspicions, resentments, and conflicts which our own Constitution sought to avoid.

The constraints that exist in Romania are for all the citizens, Romanians included, not only for the linquistic minorities.

As far as their cultural expression is concerned, I have observed personally that there is freedom of participation in religious worship. One of the things that concerns the Romanian Government actually is the growth rate of the Baptist Church vis-a-vis its Orthodox Church. This is something that is of sociological interest to anthropologists and to cultural people, but it is a fact that is true.

Why in the spiritual movement of that society, do youth and some people have preference for less ritualistic communions in their society?

As we all know, and as you well know, Romania has had one of the strongest growth rates in the last 10 to 15 years. She has industrialized rapidly; and within that social, political, economic phenomena, there has been created a mobility, there has been movement from the village to the city, from one region to another, which has brought about homogeneity. It is a homogeneity that comes within socialist societies and actually has the effect of creating a new level of consciousness.

Therefore, let us not touch any more on this problem of cultural and linguistic persecutions in Romania. Romania is a very optimistic, tempermentally optimistic and happy country with degrees of unhappiness that result from the hardships of our times.

Again, I do suggest that you extend the most-favored-nation clause to Romania. I am sure that given time, you will recognize that your decision has been a positive one and has contributed to a better world.

Thank you, sir.

[The prepared statement follows:]

STATEMENT OF TITUS PODEA, NEW YORK, N.Y.

Mr. Chairman, I am, indeed, grateful to be given the opportunity to bring to this committee my affirmation in favor of extending the most favored nation (MFN) clause to the commercial relations with Romania. I come before this committee with a long experience in foreign trade and East-West trade relations. More importantly, I have been associated with numerous nongovernmental organizations involved in international relations and as such I think I give expression to a section of American public thinking.

I am sure that the President's recommendation that the waiver authority be further extended contains all the relevant information regarding our Government's dialogue with the Romanian Government in all matters of direct concern with the provision of the Trade Act. Furthermore, I am sure that the responsiveness born out of the interaction between the two governments in the past, and more recently, has induced adjustments and adaptations to the various claims and requirements within the assumed obligations of the agreements.

The Romanian Trade Agreement with the United States was renewed last year as a result of the satisfactory balance of concessions in trade and the expectation in the President's findings that the foreseeable advantages resulting from the trade negotiations between the two governments would be satisfactorily reciprocated. In coping with present situations governments create their future—social and otherwise—in the sense of generating new problems, adding new information, which in the end produces change. There is nothing inevitable about such longterm perspectives. New knowledge may make the course of events completely different from what it would otherwise have been in the perception of the short-term perception. These changes create situations which provide new opportunities.

Improving trade policy has always been a basic concern in American political life since the Nation's beginning. While American foreign trade policy has been organized around congressional constituency claims and has conformed to the alternating political sways of various economic interests in Congress and to particular fiscal needs. U.S. trade and tariff patterns have mirrored changing levels of needs and interests of the U.S. economy. Today, the impacts and gains from the loss of trade are not being felt uniformly in the national economy. Indeed, adjustment problems and inequalities are resulting from the differential effect of international trade flows. These effects and related domestic adjustment difficulties give rise to strong political pressures for protection and the U.S. domestic structure is particularly open to such pressures. In contrast to earlier expectations, there seem to be few illusions left in Washington that trade can be a magic solvent of other tensions. It is this writers judgement, however, that in strictly economic terms it can become very significant. In the meantime it must be seen as a useful aspect of a mature relationship.

To be sure there is a necessary connection between national interest and national values, and even a realpolitik will have to take some moral choices into account. While the United States has specific characteristics that distinguish it from other nation-states, it is also a nation-state and as such shares the general conditions under which socio-political species must co-exist in the real world. The real world, today as always, is a harsh place which only rarely allows the stateman the luxury of making morally pure decisions. The foreign policy of any state, and especially one such as ours, include actions that are morally ambiguous. Only those blinded by partisan passions can fail to see that crucial political choices are rarely between the simply good, or the simply bad, or the simply right or the simply wrong. In an imperfect world, existing realities sometime limit the range of desirable activities to hard choices. If we are to remain relevant in the real world we must leave room for compromise.

It is herewith suggested that the House Subcommittee on Trade grant MFN, the most favored nation clause to Romania.

An effective trade agreement between United States and Romania undertaken in good faith reinforces expectations and its legitimacy in the international community. It elevates the commercial transactions to equivalent terms of a juridical nature and translates them into corresponding societal and institutional obligations. In this perspective your decisions become a vehicle through which our foreign trade mediates, eliciting disclosures and at the same time reinforcing our capacity of attracting unto American interests values most functional to its policies. Undoubtedly, they are a way and means, subtle and well fitted, to induce the interest of others to consent to what is our own United States interest. United States power to interrupt the commercial and financial relations with its contracting parties is of grave concern to all. Granting MFN to Romania obtains by mutual agreement that which no longer can be obtained by other means. Let no one forget that stoppage of trade forces economic adjustments and lasting impoverishment. The American economy has long been an inspiring example for the rest of the world, and the attention is once again centered on the choice of the working model to be emulated.

Chairman **Gibbons**. I thank all of the panel.

I have not had an opportunity to visit Romania, and of course I would have linguistic problems in talking with native Romanians—but I have been told there are people inside Romania who wish to emigrate and are not allowed to emigrate, people who have no legitimate civil charges against them or criminal charges against them; they are just people who are not allowed to emigrate.

Is my information wrong?

Mr. **Merdinger**. If you allow me, Mr. Chairman, I will attempt to answer that question.

Chairman **Gibbons**. All right, sir. Go ahead.

Mr. **Merdinger**. I wish the Romanian Government would quickly and positively answer all the requests to emigrate, but we have to consider one very important fact. I heard today that for certain faculties there are 18 applicants for one place at the university. For this reason, the planning in a socialist state like Romania is very carefully done.

Therefore, when the students are admitted, the government certainly expects that they will stay in Romania; otherwise they would not be allowed to occupy a very valuable place in the university. The students who study at the universities do not pay 1 penny for tuition; therefore, after they have finished their school, they have a certain obligation toward the country.

I do not want to establish whether it should be 1 year or 2 years or 5 years, but the graduates have an obligation to pay for the education they have received without spending a penny.

I myself have friends in Romania, and I have heard a friend, an old friend about my age, who said, when I asked him, "Tell me, if you want to emigrate, why do you not apply?" He said "I cannot; I want my son first to finish the faculty and then we will make the application."

I think, Mr. Chairman, Congressmen, that this is not fair, because here in the United States, students have to pay very, very much. We know that very well. Therefore, they are free to go anywhere; but there they do not pay a penny. I have attempted to answer the question.

Mrs. **Trien**. Mr. Chairman, the United States has immigration policies directly connected to economics of the United States. You have quotas; people from each country, how many people come in. Why you have those quotas, it is for the economic survival of the States. You do not want people to take jobs, you do not want people. They are economical—and immigration policies. It is a reverse one because it is a big country.

I assume that Romania has an immigration policy to avoid a drain of the brain power. If you have 22 million people, I assume 10 million are retired, in schooling; how many people you have to work, how many people are in industry, how many intellectuals you have. I think it is a problem. It is not just black or white. Most of the emigration is economic, you will find, if you talk to new immigrants as I have in the several years I am coming to support the MFN status. Most people, Mr. Chairman, do not come for political reasons. It is an economic immigration.

The United States was a dream for 200 years for a better life. Still today it is the dream of a better life. Everybody wants to come to the States. The Romanians, who have a hard economic time—you know the joke, if the United States sneezes, Eastern Europe has pneumonia. That is a true fact. They come for economic reasons. Most of the immigrants you see, they come, they want a car, a better job.

It is not political. I think it is an economic issue. I think the country has economic policies like the United States have their own. I think that is what makes sense.

Mr. **Merdinger**. I concur full-heartedly with what the lady said.

Mr. **Podea**. Of course, one can add to what was said that within a Socialist, Communist regime where there is administrative control and economic planning, immigration and the population movement in general is not as free as we in the West would like it to be. As a matter of fact, one does not move that freely within the country itself.

One moves from one job to the other through a planning scheme. One moves from one town to another through employment assignments as justified by economic locations. Such is the hard side of life as far as we are concerned, as Americans. We have to face—you as a committee are faced with a hard question, and we have to make compromises. These questions are not simply right or simply wrong; simply good or simply bad. They are complex.

Within this complexity, I think, we realize that yes, reunification of families, family relationships are of immediate priority things; but when it comes to the immigration aspect, that is something under the administrative restriction of that particular concept of that society.

We ourselves today in the United States have a piece of legislation that is confronting us. That is the immigration law you in Congress are trying to design right now. Let's hope—we all dream that some day there will be no borders, that people will move freely around this world, with a new level of consciousness in a disarmed world without violence and without invasion of other people's territories. There will be a free flow of ideas. There will be plenty of skills. No country will fear a loss of talent and skill investment. In the meantime let us negotiate in good faith and grant MFN to this country and expect reciprocal appreciation in return. Thus, instead of encouraging measures of government brought about by increasing competition and conflict for the benefit of separate groups, let us encourage intergroup compromise and accommodation.

Thank you.

Chairman GIBBONS. Are there other questions?

Mr. Hance?

Mr. HANCE. Dr. Merdinger, you mentioned in your testimony—it was not in your written testimony on the availability of Bibles. Would you go over that again?

Mr. MERDINGER. Yes, sir. It seems to me it was in 1980. May I add that I went to Romania in the last 5 years either as an exchange scientist for the National Academy of Sciences or being invited to present papers of my research at scientific congresses.

It was not correctly mentioned that I am professor at the romance language department. I do teach a course of Romanian at the University of Florida, but it is just a gift to the university and to those who are interested because I know the language.

With regard to the question you have asked me, Mr. Congressman, my wife and I went to a religious service and after that—my wife and I were invited—to the minister of that Baptist church. We took pictures, somebody else took pictures with my camera.

Among the many things, the Baptist minister told my wife in my presence was that they are independent, they do not want any help from the Government, they want to support themselves, and that not so long ago—this must have been probably in 1980—5,000 new Bibles were imported from West Germany to Romania. I swear I heard that with my own ears. That was pronounced by the minister of that Baptist church.

There are many Baptist churches in Romania, but that particular one we went to is probably the biggest in Romania.

Mr. HANCE. That may be correct. But what would be your belief, in your opinion, that in other instances people have been arrested for so-called smuggling of Bibles or possessing Bibles? Is there a contradiction here?

Mr. MERDINGER. Mr. Congressman, I confess my ignorance. I heard at these hearings for the first time about these arrests. Somehow I am confined to two or three newspapers to which I make regular contributions, but I did not hear or read about the arrest of people who sold or smuggled Bibles.

I would say smuggling—life in Romania is hard. Whether this was a profitmaking gesture by these people who sold Bibles or it was really a faithful distribution of Bibles I do not know. Therefore, I cannot pronounce myself on it. I have no idea.

Please believe me, I would not tell a lie. I heard that for the first time here. I would have to be more informed. I would have to hear more in order to express my judgment.

Mr. HANCE. But the other you do not know about?

Mr. MERDINGER. No, sir. Please believe me.

Mr. JENKINS [presiding]. Mr. Frenzel?

Mr. **Frenzel**. No questions.

Mr. **Jenkins**. Thank you for your testimony.

Will the next panel come up please? Mr. Abbe from New York, Mr. Jacob Birnbaum, Reverend Galdau, and Mr. Jack Spitzer.

Why don't we hear from Mr. Spitzer first?

STATEMENT OF JACK J. SPITZER, INTERNATIONAL PRESIDENT, B'NAI B'RITH INTERNATIONAL, ACCOMPANIED BY GEORGE SPECTRE, ASSOCIATE DIRECTOR, INTERNATIONAL COUNCIL, B'NAI B'RITH

Mr. **Spitzer**. First I would like, if I might, to introduce my associate, Mr. George Spectre, associate director of the International Council of the B'nai B'rith.

I will avoid reading my testimony since you already have it. I will be considerate of your time and attention. However, I would like, if I might, to make some updating corrections in that testimony.

I think it is worth pointing out with reference to the bottom of page 3 of the testimony, when we refer to the special situation of Constantine Alexandroaie, that we became involved because his wife and daughter are Jewish.

I am pleased to tell you that not only have their passports been issued, but they are now in this country. The whole process has been well expedited in terms of consideration of the problem that we became involved in.

We refer on page 4 of that testimony to the new lists that we had available at the end of May. I wish to point out that well over 200 of the persons shown on that list were granted passports in June of this year.

It is further important to note that while we have indicated in addition to the information that we helped negotiate so that applicants for passports, applicants for immigration should register with the Romanian Jewish Federation, that organization headed by Chief Rabbi Moses David Rosen, the information concerning other applicants for immigration to Israel, that Rabbi Rosen confirmed to me as recently as last Thursday when I saw him in Paris, that Rabbi Rosen is receiving that information and that we will have that information for a complete picture of the situation in Romania.

I think it has to be said that the Conference of Presidents of Major Jewish Organizations, which represents 36 national Jewish organizations, B'nai B'rith particularly, an organization of some 500,000 members here in the United States—men, women, and young people—has received great cooperation from the Romanian Government in resolving questions.

We still think that the bureaucratic process is an onerous one, but I suppose bureaucracy in the United States, too, can be construed to be onerous. I am sure the congressional committee is concerned about that, too.

We have on schedule plans to further review the process with a hope to making it more expeditious and being able to achieve more accurately and more effectively the unification of families that seek that unification in their emigration on Israel.

I would like to point out, too, that on my first trip to Romania in January of 1980, at the suggestion and invitation of Congressman Vanik, that I participated in the synagogue service in Bucharest. It was a very beautiful service involving many people, involving a children's choir, involving the use of the Jewish liturgy, and I became very inspired by it, frankly.

I want to share with you President Ceausescu's statement to me at that time. It was, No. 1, any Jew who wishes to emigrate from Romania can do so; No. 2, we want a viable Jewish community in Romania; and No. 3, we will not force any Jew to emigrate in order to make a quota.

I am supportive of all three points. I think our Conference of Presidents of Major Jewish Organizations is likewise supportive of that posture and that circumstance.

I also had the opportunity—because I was in Paris for meetings of the Memorial Foundation on Jewish Culture, the Jewish Material Claims Against Germany, the World Jewish Congress Executive Committee, these international bodies of the Jewish community—to meet with Mr. Ralph Goldman, the executive director of the American Jewish Joint Distribution Committee.

He confirmed my own acceptance of the population figures of the Jews in Romania. He confirmed further—and as I wish to point out to you, those figures reflect the fact that over half of the existing Jewish population of Romania is over 60 years of age.

It is a group—being over 60 myself, I am very careful about what I say about that category of person—that by and large is not prepared to move into a new culture and a new environment.

The Joint Distribution Committee is presently—and the Joint Distribution Committee, gentlemen, if you are not aware of it, is the major Jewish American relief and social welfare organization outside of Israel. It serves Jews all over the world. It is presently assisting one-half of a half who are over 60 years of age, providing housing for them, assisting them with food, with medical supplies, et cetera.

So, I think we have have to recognize that 25 percent of all the Jews in Romania, or 8,500 Jews, are persons who are in need of the kind of assistance and relief that the American Jewish Joint Distribution Committee is providing.

He, as I say, confirmed to me my own acceptance of the facts independently verified as to the population of the Jews in Romania being approximately 3,500 at this time.

[The prepared statement follows:]

STATEMENT OF JACK J. SPITZER, INTERNATIONAL PRESIDENT, B'NAI B'RITH, ON BEHALF OF THE CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS

Mr. Chairman, I am grateful for this opportunity to state the position of the Conference of Presidents of Major American Jewish Organizations, an umbrella organization consisting of 36 constitutent bodies, regarding a continuation of Most-Favored-Nation status for Romania. B'nai B'rith itself has been deeply involved in the welfare of Romanian Jewry since 1870. As International President of B'nai B'rith, I have had the opportunity to visit Romania on two occasions and to have a number of fruitful exchanges with the country's leaders.

The Conference of Presidents, whose current chairman is Rabbi Julius Berman, concerns itself with the welfare of Jews throughout the world. In keeping with this responsibility, it has sustained interest in the condition of the Jewish community in

Romania and the right of Romanian Jews to emigrate to their ancestral homeland, Israel.

The Conference of President's involvement in the question of Romanian Jewish emigration heightened following the signing in 1975 of the U.S.-Romanian Trade Agreement calling for each nation to grant the other Most-Favored-Nation treatment with regard to customs, duties and charges. In waiving the application of subsections (a) and (b) of Section 402 of the Trade Act of 1974 for Romania, President Ford notified the Congress that he had received assurances that the emigration practices of Romania will henceforth lead substantially to the achievement of the objectives of Section 402. In this regard, President Ford cited the Declaration of the Presidents of the United States and Romania, signed in 1973, wherein it was stated, "they will contribute to the solution of humanitarian problems on the basis of mutual confidence and good will." It is these humanitarian problems that concern us today.

We have noted in previous years' testimony that, as a result of Romania's liberal emigration policies following the Second World War, approximately 350,000 Romanian Jews were able to settle in Israel. Because of the existence of this large Romanian Jewish community in Israel, we believe that the Romanian government has a special humanitarian obligation to facilitate requests by Jews still in Romania to reunite with their families in Israel.

Since 1975, however, Romania's general reluctance to permit emigration, coupled with bureaucratic procedures which both intimidate and delay, have restrained Jewish family reunification in Israel. This is reflected in the numbers: emigration to Israel has gone from 3,729 in 1974—the last full year before MFN—to 2,372 in 1975, 1,982 in 1976, 1,347 in 1977, 1,141 in 1978, 991 in 1979, 1,043 in 1980, and 1,042 in 1981.

While this decrease can be partially explained by the diminishing pool of would-be emigrants in the official Jewish community—and I should point out that some believe the actual Jewish community to be larger—questions have to be raised as to why emigration has plateaued at the reduced figure for the last several years.

The fact is that the Romanian government discourages emigration through a lengthy and burdensome emigration process which includes a pre-application procedure that too often excludes people before they can formally apply. Application must be made at the local police station, in itself a deterrent to starting the process. But once an applicant starts that process, he may be subjected to various forms of harassment and delay which can be very distressful.

Because of the difficulties an applicant faces, it would be safe to say that there are people who might otherwise seek to emigrate who have been discouraged from even taking the first step.

The 1979 agreement between the Conference of Presidents and the Romanian government gave us hope that the emigration picture would change for the better. That agreement created a mechanism by which Romanian Jews applying to emigrate to Israel could register with the Romanian Jewish Federation, and their names could be shared with the Conference of Presidents so that it would be able to follow the progress of each case. Unfortunately, this has not resulted in elimination of burdensome procedures that discourage emigration, which must be the ultimate test of the agreement.

At the same time, we acknowledge that a number of difficult cases that we have brought to the attention of the Romanian authorities have been resolved. One of those recent cases involves the family of Constantin Alexandroaie, a former Romanian journalist now living in the U.S. The Romanian government informed us on May 21 that Mrs. Alexandroaie and her daughter have been approved for emigration, and we look forward to their reunification with Mr. Alexandroaie in the very near future. However, there are other cases, some of them going back to 1978, which have not been resolved.

We also want to note that the rate of passport approvals for May and especially June have been comparatively high, which indicates that the Romanian government can expedite its procedures when motivated to do so. It is important, however, for this higher rate of approvals to be maintained throughout the year, not just prior to Congressional consideration of MFN. Equally important, the Romanian government should make a greater effort to remove any bureaucratic obstructions so that persons with approved passports can leave the country within a reasonable period of time.

We welcome the recent news from the Romanian government that three-quarters of the backlog of 652 emigration cases that we brought to the attention of the Romanian government have now been approved. But, again, experience has taught us that having an approved passport is no guarantee that an individual will be able to leave when he wishes. Moreover, the 652-person backlog was based on lists running up to October, 1981. We now have new lists, covering the period through May 29, 1982, that show a total of 714 unapproved cases.

Further complicating the picture is the fact that we have had only that data compiled by the Romanian Jewish Federation, Last year, it was reported that about 60 percent of Romanian Jews arriving in Israel did not appear on the lists the Conference of Presidents received from the Romanian Jewish Federation. We understand, however, that the Romanian Jewish Federation is now receiving data regarding all applications for emigration to Israel. This additional information will enable us to deal with the total picture more effectively than in the past.

Because of the concerns we have voiced each year in our testimony to your Subcommittee, both the Administration and key members of Congress have now raised serious questions about Romanian's emigration performance, and the President, while recommending another extension of MFN, has suggested that next year's renewal may be in jeopardy unless Romania makes a noticeable improvement in that performance.

We share the sense of concern that the President conveyed in his message to Congress, a dissatisfaction we hope will dissipate in the months ahead with a continued easing of Romania's emigration policies and procedures.

We believe that on balance, MFN with Romania has proven to be beneficial to the United States and its interests and should be preserved. The existence of MFN has undoubtedly made it easier for Romania to maintain a more independent foreign policy than other East European countries. MFN has also provided a forum for the United States—Congress and the Administration—to pursue its concerns for a more responsive emigration policy, as well as its collateral commitment to human rights in Romania.

Based on these considerations, the Conference of Presidents favors another one-year extension of the treaty with Romania. We earnestly hope that our expectations for a more satisfactory emigration rate to Israel and emigration processing will be realized so that we can endorse a further MFN renewal next year.

Thank you for this opportunity to present our views.

Mr. **Jenkins**. Thank you for your update and your testimony. It is very encouraging for the subcommittee to learn that in some of the problem areas you are making progress in Romania. I am pleased to hear that.

Mr. Hance?

Mr. **Hance**. I have no questions.

Mr. **Jenkins**. Mr. Frenzel?

Mr. **Frenzel**. Mr. Chairman, I want to thank the gentleman for his testimony. I believe we first met in Bucharest under the good offices of our ex-colleague, Chairman Vanik. I think what has impressed me about your effort is that you have not been content to sit around and bellyache about a bad situation; you have gone to work and worked the problem and found out ways to make a bad situation better. It isn't something that you can turn your back on. It requires work every day.

You and your organization have been willing to do that, and the success has not been unqualified, but it has been heartening. We have done a lot better than if we didn't work the problem.

I think your cooperation with this committee has been outstanding and the success you have achieved has been outstanding and it is probably a good example to all of us who complain about conditions that aren't exactly up to our standards.

The example would show us that if we work a little harder and complain a little less, we will achieve some success.

So I simply want to thank you for everything that you have done in this area. I know it has been very hard work.

Mr. **Spitzer**. Thank you very much, Congressman Frenzel. I am grateful for your words and accept them with deep appreciation.

Mr. **Jenkins**. Thank you so much, Mr. Spitzer.

Mr. Spitzer. Thank you so much.

Mr. Jenkins. Welcome to the committee. If each of you have prepared statements, they will be made a part of the record in their entirety and you may summarize your statement if you will, please.

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY

Mr. Birnbaum. Thank you, Mr. Chairman.

All afternoon we have been listening to purported facts, most of them not very specific, which completely contradict the daily experience of those active in matters of Romanian emigration all year round. Not too many specific questions have been raised in terms of actual difficulties experienced by people, actual persecution, actual harassment.

Part of our trouble up to now has been that we haven't really sat down with the Romanians to discuss in sufficiently specific terms what the troubles are and what we seek from them.

From now onward in the hearings you will hear something of the pain, the outcry which is felt by people who deal with this matter on a daily basis. There are people coming up to the witness table now who have been to Romania this year who have seen the persecution of Christians there at firsthand detail. Their testimony will make the proceedings up to now seem somewhat academic.

We have just set up a group called the North American Coalition for Human Rights in Romania. The Coalition is made up of groups who deal with Romania on a day-by-day basis.

We find it very hard to understand why there have been no discussions here on questions like the preapplication procedures which were introduced by the Romanians after 1975, after they had received MFN.

We find no discussion here of reducing the waiting time to something like 2 to 3 months—a figure used by the Romanian Ambassador himself recently in conversation with a legislator.

We fail to understand why exile or—no mention has been made of President Reagan's very severe condemnation of what he called Romania's "negativistic emigration policies."

He felt strongly enough to say that unless there is improvement in Romanian emigration procedures and unless the rate of Jewish immigration to Israel increases significantly, Romania's most-favored-nation status for 1983 will be "in serious jeopardy."

He indicated that Romania's emigration policies clearly contravened the intent and purposes of the Jackson-Vanik amendment.

On the basis of such a statement, I would have thought the State Department would have taken a different attitude; but I find nothing of the President's views in Mr. Scanlon's statement. We do not seem to be seeking a quid pro quo from the Romanians.

Every year we give them what they want, although the 1974 Trade Act, section 402—the freedom of emigration section—mandates that the President must receive assurances from the Romanians, which he must pass on to the Congress, that the emigration situation has improved and will continue to improve. Such assurances have never been received in all these 8 years. The President has never been able to say that the Romanians have given formal assurances.

This is deeply troubling to us. We are not exercising the very considerable leverage we have with the Romanians. We had a great deal of leverage this year, in particular their economic position, the development of a strong U.S. Christian protest movement, an outcry in this country which has just begun to develop momentum. We have nine State legislatures who in recent months have protested vehemently against Romania's policies and many more will join in the coming year.

The Romanians had to contend with the congressional letters which gathered numerous signatures and were sponsored by Republicans and Democrats in both Senate and House. We had a major article in the Washington Post on June 2. None of this brought a single concession, not even minor gestures of good will from the Romanians. There are groups of people who are suffering. Romanian Orthodox Christians, Jews, Evangelicals, and others. You would think they would at least release a number of people from each of these groups, people like Father Calciu, people like the Jewish refusenik, Natan Fleischer who has wanted to leave for 28 years, people like the Evangelical Klaus Wagner.

But nothing of the kind. Now, people are saying we should be happy with the increase of emigration approvals during the last 2 months, a regular thing at this time of year. It is true approvals are somewhat higher than, say, 1980. But we have no guarantee, no assurance whatsoever that at the end of a year there will be any change in the annual immigration rates and in the iniquitous immigration procedures. We seek at least two gestures from the Romanians, first, release of prisoners and of people wanting to leave for several years.

Second, that the Romanians will announce that they will maintain and increase the number of approvals which have reached over 200 a month in the last 2 months. Otherwise, all these approvals are meaningless because after the hearings by the end of the year the number of persons coming out is not substantially changed.

I have to report to you, Mr. Chairman, that this morning a young couple called Sergin and Ruxandra Ratescu, who have been waiting for 12 years—12 long years—went on hunger strike as a signal and a plea to this committee to give word to the Romanians to let them out. They were given passports in 1977. They sold their possessions and they disposed of their apartment. And at the last moment the passports were withdrawn. I ask the committee to make a special intervention at this time to find out why the Ratescus have not been released; why, after 28 years, at the age of 70, Nathan Fleischer cannot join his children abroad.

It seems to us we strip ourselves of our leverage with the Romanians.

They seem to take it for granted now that we will never pass a resolution of disapproval. We have not even engaged in brinksmanship. I constantly hear that they receive private assurances from various quarters not to worry, "this is not serious." So why should they make concessions, even a minor concession, not even the type of gesture of good will I mentioned earlier.

So, Mr. Chairman, I hope and pray that a new kind of message will go out to Romanians from this country, that we will not prove ourselves remiss in carrying out the law of the land inundated by section 402 of the 1974 Trade Act. We have not carried it out in the past, in the hope that the Romanians would improve their performance. In these past 10 weeks of my campaigning in Washington on this matter I have not discussed a resolution of disapproval.

But now it seems to me that without any kinds of Romanian gestures of good will or any kind of concessions, what else is there to wake the Romanians up to the fact that we are a serious moral power which is to lead the world in human rights matters.

Mr. GIBBONS. Thank you.

[The prepared statement follows:]

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY

SUMMARY

> *"Rumania's negativistic emigration policies clearly contravene the intent and purpose of the Jackson-Vanik Amendment . . . I intend to inform the Rumanian government that unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Rumania's Most-Favored-Nation renewal for 1983 will be in serious jeopardy."*
>
> *- President Ronald Reagan, June 2, 1982*

RECOMMENDATIONS

I. More Determined Utilization of our MFN Leverage

1) We have not been doing this during the past decade; we have not even engaged in brinksmanship. Once Bucharest will sense real purposefulness in regard to Section 402 of the 1974 Trade Act, concessions could follow quickly and Resolutions of Disapproval will not be necessary. Certainly if it comes to the point of MFN suspension, the Rumanians will hasten to negotiate.

2) Every Rumanian peasant knows that the current US hope of weaning Bucharest away from Moscow's iron embrace is an illusion for our times. Rumania's limited independence in foreign affairs is much less important than Moscow's overall dominance.

3) Bucharest has concluded that we will never introduce the Resolutions of Disapproval, and so we are stripped of our leverage. Consequently, no real human rights concessions can be expected.

II. Spell out Specifics of What we Require from Bucharest More Clearly Than Ever Before, with CREDIBLE, WRITTEN ASSURANCES

Here are six basic goals --

1) Formal written assurances of compliance with Section 402 of the 1974 Trade Act and the 1975 Helsinki Final Act, as with Hungary in 1979.
2) Reduce emigration waiting time to two months, the removal of the pre-application processes introduced after Rumania obtained MFN, and other details listed in 10-point program below.
3) The removal of large emigration backlogs to the US and Israel.
4) "Significant increase" (Pres. Reagan's words) in Jewish emigration. Reversion from recent low annual rate of 1000 to the 4000 before MFN was granted.
5) The cessation of persecution of religious Christians and other dissidents, and of cultural deprivations suffered by the Hungarian minority.
6) Credible Rumanian guarantees of progress in these areas.

IMMEDIATE GESTURES OF GOODWILL TO BE SOUGHT FROM BUCHAREST

A - Permission to emigrate and release from detention of the major groups of victims of oppression as: Orthodox priest Calciu, Jewish refusenik Nathan Fleischer, and Evangelical Klaus Wagner.

B - Current increase in emigration approval to be sustained and further increased through whole year.

THERE MUST BE SIMPLIFIED AND SHORTENED EMIGRATION PROCEDURES AND THE ELIMINATION OF HARASSMENT

1. Abolish pre-application procedures at plice station (FICA).
2. Letter of intent received abroad or by foreign embassy in Bucharest should establish commencement of emigration process.
3. Eliminate requirement to appear before councils consisting of local representatives of the police, the security police, the army, the Communist Party, the work place, and management of residence.
4. Application forms should be readily available at all times and places.
5. Establish time frame of 2 - 3 months from moment of application until departure, at most 6 months for special cases.
6. Set up regular procedures which will avoid arbitrary decisions or non-decisions.
7. After formal approval is granted, ensure speedy and straightforward process until departure, avoiding irregular, arbitrary delays.
8. Refusals should be accompanied by explanations, then proper appeal process.
9. Ease the burdens of departing emigrants by a)cutting down multiple documentation b)permitting him/her to take life savings and used household and personal possessions without imposition of duties c)reducing the variety and total of emigration fees.
10. Eliminate harassments such as a)job dismissals and demotions and expulsions from universities b)intimidation at workplace, in schools and by neighbors c)threats of military or work conscription.

WHAT IS THE POTENTIAL FOR A "SIGNIFICANT INCREASE" IN EXIT TO ISRAEL?

Bucharest claims there really is no problem, and the aging Jewish community cannot produce more than a trickle of emigrants. Our daily experience totally contradicts this --

A - We receive a ceaseless flow of pleas for help to emigrate from

Rumania, although none from the larger Jewish community of neighboring Hungary.

B - Census figures of Rumanian Jews are gross underestimates because many do not register with the Jewish offices. We estimate about 60,000 Jews live in Rumania.

C - The drop of annual Rumanian Jewish emigration from 4000 in 1973 and 1974 to the current low 1000 is far greater than the demographic decline.

D - The latest official count of Jews registered for emigration is 2000. This excludes Jews who
  a. are stuck in the pre-application processes
  b. are prevented from registering
  c. fear the consequences of applying -- many thousands.

E - Without the fear deterrent, annual Jewish registeration to leave could quickly revert to the pre-MFN 4000, or even 5000!

F - Just as Bucharest swiftly doubled and tripled emigration to the US and West Germany when it was politic to do so, so Jewish migration rates could revert to their pre-MFN levels.

RECENT DEVELOPMENTS IN THE STRUGGLE FOR EMIGRATION FROM RUMANIA

1. Rumania's great needs for loans and credits, while trying to reschedule huge debts, are second only to Poland. Example: the frozen Ex-Im Bank funds for GE nuclear power plants.

2. A rise of significant US Christian protest campaigns against the persecution of religious Christians in Rumania. Resolutions advocating the blockage of Rumanian MFN passed through seven state legislatures.

3. 1981 - 1982 major Congressional campaign, including increased advocacy for "more than double" the number of Rumanian emigrants to Israel
   a. Senator Jackson's recommendation to the Senate Finance Committee of July 1981
   b. House petition initiated by Reps. Fenwick and Solarz, Aug. ~~February~~ 3, 1981
   c. Congressional letters to Reagan and Ceausescu of June 1982 initiated by Senators Moynihan, Armstrong, Helms and Mitchell (51 signatures in Senate), and by Reps. Solarz and Dornan (120 signatures in House).

4. President Reagan's condemnation of Rumania's "negativistic emigration policies" on June 2, 1982.

5. Major Washington Post article of June 3, 1982 reporting Rumania's emigration policies, persecution of religious Christians and cultural deprivations of Hungarian minorities.

6. Strong Rumanian counteroffensive in Washington.

SPECIAL EMIGRATION CASES

We request the Committee to intervene for --

1 - Three cases going back almost three decades, called the Vatra-Dornei Group: Nathan Fleischer, Herman Rubinger, and Samuel Feiden.

2 - Ratescu family, waiting for 12 years because of obstacles by Mrs. Ratescu's father, a high medical official.

May - June 1982 Spurt of Approvals for Emigration

The number of Rumanian Jews reaching Israel in June suddenly rose to 128, compared to 51 in May. This brings the six month 1982 total to 420, compared to 329 in 1981, which was the lowest figure in a decade. 421 left during the first six months of 1980.

Approvals of emigration rose dramatically in May and June 1982 by 429, representing a 1982 half year total of 801, compared with 411 in 1981 and 611 in 1980. Unfortunately, the totals for all of 1981 was only 973, and the entire 1980 only 1043.

The rate of over 200 approvals during May and June will have to be maintained and increased over the rest of the year to begin to respond to internal Rumanian Jewish emigration needs.

STATEMENT

This is the eighth year that the Congressional trade committees are considering the extension of the waiver of the "freedom of emigration" Section 402 of the 1974 Trade Act.

Romania Has Never Given Formal Assurances on Emigration, As Has Hungary

The legislation was based on the understanding that formal assurances of compliance would be received from the non-market country under consideration. Section 402 itself was a considerable political compromise on the principle of free emigration. The manner of its interpretation since 1975 in the case of Romania attenuates it still further, since the Administration has never really insisted on the required assurances, as it did in the case of Hungary. The State Department has always urged Congress to accept "performance" (after the hearings) as the guideline.

By contrast, the Hungarians, after intensive discussions, wrote on March 15, 1978 that they were prepared to "ACT IN ACCORDANCE WITH THE LETTER AND SPIRIT OF THE HELSINKI FINAL ACT AND DEAL WITH [EMIGRATION APPLICANTS] PROMPTLY, CONSCIENTIOUSLY, AND WITH GOODWILL." After almost a decade of poor performance, we should seek much stronger guarantees from Bucharest.

Emigration Procedures and Migration to Israel Worsened Since 1975

During the more than eight years of US-Romanian contacts on emigration the only changes in Romanian emigration policies have been for the worse, with one exception:

1. On account of the weakening of its position with Congress in the summer of 1979, Bucharest decided to raise the flow of Romanian migration to the US. Suddenly, in the fall of 1979, the monthly flow doubled to 200 and more, though the punitive separation of many targeted families has continued unabated until this day.
2. After Romania obtained MFN and after the Helsinki Final Act (both of 1975), Bucharest introduced more obstacles, notably new pre-application processes, described in my previous testimonies.
3. The extraordinary decline of the annual Romanian Jewish outflow to Israel from 4000 to 1000 in the last few years bears no relation to the demographic decline of an ageing population, made so much of by the Romanian authorities.

Year by year, we receive soothing Romanian assurances, unaccompanied by improvement in basic emigration performance.

Romanian Failure to Keep 1979 Jewish "Agreement"

This "Heads of Agreement" between Romania's chief US expert Corneliu Bogdan and the representatives of two Jewish organizations on July 6, 1979, consisted of a one-page "aide memoire", and was never signed by the Romanians, nor publicly announced by them. It was a diversionary maneuver at a time when we had severely weakened the Romanian position in Congress. The key words of the document, "application forms will be readily available and will be processed expeditiously", were never implemented. On the contrary, THE 1979 ROMANIAN JEWISH OUTFLOW WAS THE LOWEST OF THE DECADE!

Recent Developments in the Struggle for Emigration From Romania

A number of developments have increased our leverage potential with Bucharest in recent months --

A) The continued deterioration of Romania's economic position, second only to that of Poland. With great debt rescheduling problems, loans and credits are hard to come by. For example, Ex-Im Bank funding for the GE nuclear plant has been frozen.

B) The emergence of a US Christian protest movement against the savage persecution of religious Christians in Romania. The state legislatures of Kentucky, Georgia, Nebraska and Michigan have either passed or introduced resolutions advocating Romanian MFN suspension (Michigan copy attached). Similar efforts are proceeding in Indiana, Mississippi, Tennessee, Kansas, Florida and elsewhere. The process will inevitably spread across the country in coming months.

C) During the spring, we commenced a major Congressional campaign. A liberal/conservative balance of Democrats and Republicans circulated letters to President Reagan and Romanian President Ceausescu in the hope that a massive accumulation of signatures would make unnecessary the introduction of Resolutions of Disapproval, by conveying to the Romanians a signal that a substantial expression of Congressional concern indicated a potential endangerment of their MFN extension, if they did not respond. The letters were initiated by Senators Moynihan, Armstrong, Helms, Mitchell, and by Reps. Solarz and Dornan. We terminated the campaign in the House after gathering 120 signatures, and in the Senate after reaching over the half-way point, 51 signatures.

D) Bolstered by this campaign, the White House's National Security Council overrode the State Department's usual line and issued a severe condemnation of Romania's "NEGATIVISTIC EMIGRATION POLICIES WHICH CLEARLY CONTRAVENE THE INTENT AND PURPOSE OF THE JACKSON-VANIK AMENDMENT." Though President Reagan recommended MFN extension for another year, he stated, "UNLESS A NOTABLE IMPROVEMENT IN ITS EMIGRATION PROCEDURES TAKES PLACE AND THE RATE OF JEWISH EMIGRATION TO ISRAEL INCREASES SIGNIFICANTLY, ROMANIA'S MFN RENEWAL FOR 1983 WILL BE IN SERIOUS JEOPARDY" (June 2, 1982; relevant extracts of Presidential statement attached.) In a June 18th letter to Cong. Solarz, copy attached, the White House reiterated these statements, stressing that the President waived the prohibition of MFN renewal "FOR THIS YEAR ONLY".

E) On June 3, 1982, Dan Morgan of the Washington Post published a major article on page 2 entitled, "Reagan Says Emigration Rate in Romania Jeopardizes Trade". In addition to reporting the Presidential recommendation, it quotes extensively from the Congressional letters concerning the troubles of the Christians and the Hungarian minority. The article caused quite a stir and startled the Romanians.

F) Romanian diplomats moved swiftly to the counteroffensive. The new Romanian Ambassador Mircea Melitsa, a man of some sophistication, visited numerous Congressional offices, often accompanied by a group of Romanian officials. Bucharest's most experienced US diplomat, Corneliu Bogdan, arrived to direct operations. Romanian Foreign Minister Andre spent a few days in Washington, as did Foreign Trade Minister Nicolae Constantin, who held a joint press conference with US Commerce Secretary Baldridge on June 30th. Radio Free Europe reported, "Constantin said Romania is giving special attention to the emigration issue and to the problem of reunification of families." He also remarked, "One should not make a problem out of something that is not a problem."

G) During May and June, Romanian approvals for emigration to Israel rose to over 200 a month, bringing the total for 1982 to 801. This compares with a half-yearly total of 411 approvals for 1981 -- the lowest for at least a decade -- and 611 for the 1980 half year. It should of course be remembered that approval is by no means synonymous with actual exit. (As of May 29, 1982, 163 persons who had received approvals in 1980 still had not left the country!) In June 1982, arrivals in Israel shot up to 128 from 51 in May. This made a half-yearly total of 420, compared to 329 in the low half year of 1981 and 421 for the 1980 half year. The totals for the whole of 1980 were only 1043 and for 1981 only 973. Thus, we have to be cautious in appraising the sudden spurt of approvals, so characteristic of this time of year, and hope that it will not just even out to the approximate annual 1000 rate to Israel of recent years. Even if the final total shows several hundred more, this will be a most inadequate response to the emigration needs of the Romanian Jewish populace. *Only a consistent monthly emigration rate of over 200 will even begin to deal with the problem.* We believe that the potential is such that 400 a month could quite easily be reached, provided the deterrent of fear will be removed.

What is the Potential for "Significant Increases" in Jewish Emigration?

The Romanians continue to peddle the line -- still accepted by so many in Washington -- that Jewish emigration is dwindling to a trickle because of an ageing Jewish populace and that we are blowing up the whole thing into a problem which does not exist.

The Romanian contention cannot stand up even in its false demographic disguise because it contradicts our daily experience of A GREAT THIRST TO LEAVE, ready to burst into a raging fever at any time. By contrast, we sense little or nothing of this kind in the larger Jewish community of neighboring Hungary.

In the light of this thirst, the actual number of Romanian Jews should not be considered the most important factor. Unfortunately, the Romanians and their apologists have made it an issue. The two Romanian sets of census figures, 32,000 and 23,000, so obviously contradictory, are gross underestimates, as numerous Jews do not register themselves with the official Jewish offices or as Jews with the general authorities. All East European countries have considerable "shadow" Jewish populations that do not declare themselves for various reasons, mostly associated with a history of fear and persecution. In Romania, a good proportion of those registered with the Jewish offices are old and/or poor, with an interest in the welfare services provided by those offices. Visitors are shown around the old age homes and canteens and, not by accident, return home with the impression that 80% of the Jews are too old to care about leaving.

A dramatic illustration of the "shadow" population is the fact that we have discovered that some 50% of Romanian Jews arriving in Israel had not registered with the Jewish offices for emigration. The number of those not announcing their desire to leave at this time, or not wishing to do so, is certainly closer to 100% more, than 50% more. Our estimate is about 60,000 Jews live in Romania, the same figure given by a Romanian UN diplomat in 1979.

2000 Romanian Jews Registered to Leave as of May 29, 1982

Until a couple of weeks ago, Bucharest had not supplied Washington with the names of registrants for emigration to Israel beyond the beginning of October 1981, and we had only 652 names. Despite so many missing months, my contention that this low figure should not be used without careful qualification was ignored. Incidentally, this tardiness in letting us have the list of registrants illuminates the non-operation of the "mechanism" supposed to exist between US and Romanian Jewish organizations, arising out of the 1979 "Agreement", a mechanism much discussed in State Department responses to inquiring legislators in recent years.

Registrations until May 29, 1982 finally became available. An analysis made by Ira Kleiman of Washington, DC showed a total of 1394. In addition, a comparison of these lists with arrival and approval lists indicated that approximately 50% of persons arriving in Israel had not registered with the Romanian Jewish offices. It can therefore be confidently stated that some 2000 Romanian Jews are formally registered to leave for Israel. This does not include the many who

1 - have not gotten beyond the pre-application process
2 - have been turned away in their attempts to register at police stations
3 - are afraid to apply for fear of the consequences to them and their families.

Our Estimate for Annual Potential of Emigration is 4 - 5000

We have no doubt that, without the deterrent of fear, registrations for Jewish emigration could quickly revert to the annual 4000 of 1973 - 4, even to 5000.

Mr. Kleiman's breakdown of the 1394 registrants shows that 94 of those registered in the years prior to 1981 have still not received approvals and a further 163 approved in 1980 were still waiting to leave as of May 29, 1982! This makes a total of 257 known cases waiting, many much longer than the two years since 1980. His study shows that as of October 1981, the backlog of those approved during the previous 21 months was 324; as of May 29th that number had been reduced by only 63 to 261.

"Up and Down" Romanian Manipulations of the Approval and Emigration Rates

The endless delays engendered by the frequent, arbitrary manipulations of the Romanian authorities, even after approvals have been granted, is another obstacle that needs to be discussed with Bucharest. When it suits them, however, the authorities can enormously expedite the whole emigration process or parts of it, for example, the current spurt of approvals or the doubling and tripling of the flow to the US and West Germany in recent years.

Congressional Call to "More Than Double" Romanian Emigration Rates to Israel, 1981 - 2

These were initiated by Senator Henry Jackson on July 22, 1981, in a letter to Senator John Danforth, chairman of the International Trade Subcommittee of the Senate Finance Committee. He wrote: "It is necessary for the Romanian leadership to do much better with respect to emifration to Israel. . . They should more than double the annual number they are approving for emigration to Israel." In his letter to the House Trade Subcommittee in June he had not been so specific. After many years of restraint and caution, he had finally decided to make this public statement.

Shortly thereafter, a House petition of August 3, 1981, inaugurated by Reps. Millicent Fenwick and Stephen Solarz, repeated the demand, which was once more reiterated by the Moynihan-Armstrong -Helms-Mitchell and Solarz-Dornan letters of June 1982 (copies attached). The legislators were talking in terms of a minimum emigration rate of Romanian Jews on the order of 200 a month. In the light of the problem, this is hardly an overwhelming figure. If Bucharest could double and triple Romanian emigration to West Germany and the US during the past decade, the same could be done for Romanian emigration to Israel.

Lack of Substantive Romanian Concessions or Goodwill Gestures

We are disturbed that, despite President Reagan's powerful signal, the massive Congressional letters, the Washington Post and New York Times publicity, the Romanians have not troubled to offer any real concessions or gestures of goodwill, such as the release of the groups of particularly suffering people as represented by the Orthodox priest Calciu, the Jewish "refusenik" Nathan Fleischer, or the Evangelical Klaus Wagner. The current spurt of approvals may be construed as a gesture but on the basis of past experience it is, as yet, essentially meaningless because it is not accompanied by any assurances, certainly not any guarantees, that the rate will be maintained and increased over the whole year.

Why Has Our Promising Position Vis-a-Vis Bucharest in 1982 Borne so Little Fruit so Far?

It appears to us that after their experiences in Washington during almost a decade, the Romanians are confident that they can pull off the same bluff this summer as in previous summers. As we have never even engaged in any real brinksmanship, based on our leverage potential, they surely calculate that we will never reach the point of supporting a one year MFN suspension.

Thus we permit a minor dictatorship to treat us with contempt every year. Section 402's effectiveness is diminished almost to the vanishing point; it may be true that until now it has prevented the almost total shutdown of Jewish emigration, but we should be doing much better than that.

How independent of Moscow can our support of Bucharest render the Romanians? Which is the more critical factor for the U.S. -- Romania's limited independence in foreign affairs or Moscow's fundamental overlordship?

Our overcautious handling of the Ceausescu regime on MFN is predicated on what any Romanian peasant knows in his bones to be an illusion -- the notion that Bucharest can somehow be diverted in some fundamental fashion from Moscow's iron embrace within our time. Bucharest's show of relative independence in foreign affairs is much less important than the degree of Moscow's general overlordship.

U.S. Failure to Utilize Full MFN Leverage

While we have been careful to avoid even discussing a Resolution of Disapproval with our Washington contacts for the many weeks of our campaign in the hope that the Romanians would respond to our signal, we deplore the near hysteria which throbs through Washington at the thought of such a measure, because it strips us of our leverage from the beginning. We believe that *if the Romanians sensed our underlying determination to make such a move, if necessary, we would swiftly obtain the required concessions* prior to a Resolution. Or if the point of suspending Romania's MFN for a year actually arrived, no calamity would ensue and the Romanians would hasten to the negotiating table.

U.S. Need to Focus on Specifics and Credible Assurances

Our old policy of exhorting the Romanians "to try to do better" has not and will not work, unless and until we make it quite clear -- very persistently -- what we seek in specific terms, as listed below, accompanied by CREDIBLE, SIGNED ASSURANCES that they will be carried out.

As a start, we should expect goodwill gestures relating to the release of "refuseniks" and detainees, as described above. Written assurances on the following six goals, plus a ten-point program on negotiating simplification and shortening of emigration procedures --

1 - Formal signed assurances of compliance with Section 402 of the 1974 Trade Act, such as were sought and obtained from the Hungarians in 1979.
2 - Reduction of emigration waiting time to 2 months and simplification of emigration procedures, particularly removal of new pre-application processes.
3 - Removal of emigration backlogs to the U.S. and Israel.
4 - "Significant increase" (President Reagan's words) in Jewish emigration. Reversion from the recent pitiful annual lows of 1000 to the 4000 before MFN was granted.
5 - Cessation of the Romanian government's persecution of religious Christians and other dissidents, and of the cultural deprivations suffered by the Hungarian minority.
6 - Credible Romanian guarantees of progress in these areas. Challenge them to commit themselves to maintain a monthly 200-plus approvals and exit record on a year-long basis.

Simplified and Shortened Emigration Procedures and Elimination of Harassment are Necessary

1. Abolish pre-application procedures at police stations (FICA).
2. Letter of intent received abroad or by foreign embassy in Bucharest should establish commencement of emigration process.
3. Eliminate requirement to appear before councils consisting of local representatives of the police, the security police, the army, the Communist Party, the work place and residence management.

4. Application forms should be readily available at all times and places.
5. Establish time frame of 2 - 3 months from moment of application until departure, at most 6 months for special cases.
6. Set up regular procedures which will avoid arbitrary decisions or non-decisions.
7. After formal approval is granted, ensure speedy and straightforward process until departure, avoiding irregular, arbitrary delays.
8. Refusals should be accompanied by explanations, then proper appeal process.
9. Ease the burdens of departing emigrants by
   a) cutting down multiple documentation
   b) permitting him/her to take life savings and used household and personal possessions without imposition of duties
   c) reducing the variety and total of emigration fees.
10. Eliminate harassments such as
   a) job dismissals and demotions and expulsions from university
   b) intimidation at workplace, in school, and by neighbors
   c) threats of military or work conscription.

In short, we believe that a clear enunciation of our requirements will help provide the necessary goad and incentive to comply, at least to a substantial degree, with Section 402 of the 1974 Trade Act.

Special Emigration Cases

Of the many suffering at the hands of the Romanian authorities, we would seek the Committee's help for the following:

The Vatra-Dornei group, mercilessly penalized for nearly three decades. The three survivors, Nathan Fleischer, Herman Rubinger, Samuil Feiden, should now be amnestied from their fines and permitted to join their relatives abroad, in the same way that a group of 18 who had been penalized for two decades were amnestied and released in the summer of 1980 through Decree 199 (see Romanian letter to Senator Abraham Ribicoff of July 14, 1980).

Sergiu and Ruxandra Ratescu, waiting to leave since 1970. Obstacles raised continuously by Ruxandra's father, a high-ranking medical official. Congressional pressure has helped with similar cases before.

PRESIDENT REAGAN'S

RECOMMENDATION FOR EXTENSION OF WAIVER AUTHORITY

June 2, 1982.

I recommend to the Congress that the waiver authority granted by subsection 402(c) of the Trade Act of 1974 (hereinafter "the Act") be further extended for twelve months. Pursuant to subsection 402(d)(5) of the Act, I have today determined that further extension of such authority, and continuation of the waivers currently applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China will substantially promote the objectives of section 402 of the Act. However, I am concerned about Romania's emigration record this year and suggest it be reexamined. My determination is attached to this Recommendation and is incorporated herein.

The general waiver authority conferred by section 402(c) of the Act is an important means for the strenthening of mutually beneficial relations between the United States and certain countries of Eastern Europe and the People's Republic of China. The waiver authority has permitted us to conclude and maintain in force bilateral trade agreements with Romania, Hungary, and the People's Republic of China. These agreements continue to be fundamental elements in our political and economic relations with those countries, including our important productive exchanges on human rights and emigration matters. Moreover, continuation of the waiver authority might permit future expansion of our bilateral relations with other countries now subject to subsection 402(a) and (b) of the Act, should circumstances permit. I believe that these considerations clearly warrant this recommendation for renewal of the general waiver authority.

I also believe that continuing the current waivers applicable to Romania, Hungary and the People's Republic of China will substantially promote the objectives of section 402 of the Act.

Romania: Emigration from Romania to the United States has increased substantially since the waiver has been in effect. In 1981, nearly 2,400 persons emigrated from Romania to the U.S. This is nearly six times the pre-MFN level of emigration and represents an optimum number of emigrants under U.S. immigration procedures in effect that year.

However, I am gravely concerned about the Romanian Government's failure to improve its repressive emigration procedures and the significant decrease in Romanian Jewish emigration to Israel, which is disturbing. This emigration has dropped from an annual rate of 4,000 prior to the 1975 extension of MFN to Romania, to the current (1981) low level of 972. Furthermore, contrary to the 1979 agreement with American Jewish leaders, Romania continues to maintain a considerable backlog of unresolved long-standing emigration cases. This backlog at present involves at least 652 cases.* Also, contrary to the 1979 agreement, the

* (later figures 1394 + approx. 50% not registered with Jewish community offices brings emigration baclog into region of 2,000).

Romanian Government has not improved its emigration procedures. The process is cumbersome and plagued with obstacles for those who merely wish to obtain emigration application forms. All these factors demonstrate Romania's negativistic emigration policy which clearly contravenes the intent and purpose of the Jackson-Vanik Amendment.

In waiving the prohibition of MFN renewal for Romania this year, I have weighed the above factors within the context of the satisfactory state of overall U.S.-Romanian relations. However, I intend to inform the Romanian Government that unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Romania's MFN renewal for 1983 will be in serious jeopardy.

Hungary: Hungary's performance during the past year has continued to reflect a positive approach to emigration cases. The majority of Hungarians seeking to emigrate receive permission to do so without great difficulty. Few problem cases arise and these can be discussed constructively with the Hungarian Government. Most difficult cases ultimately are favorably resolved. The relatively liberal Hungarian domestic situation seems to defuse any pent-up demand to emigrate and the actual number of citizens who apply to leave Hungary is apparently small.

People's Republic of China: During the past year, China has continued its commitment to open emigration, exemplified by its undertaking in the September 1980 U.S.-China Consular Convention to facilitate family reunification. The Convention was approved by the Senate on December 17, 1981. The instruments of ratification were exchanged on January 19, 1982. U.S. Foreign Service posts in China issued over 6,920 immigrant visas in FY-1980, and over 15,293 nonimmigrant visas for business, study, and family visits. The comparable figures for 1980 were 3,400 and 15,893, respectively. More than 8,000 Chinese are now in the United States for long-term study and research (approximately half of this number is privately sponsored). As has been the case for the past several years, the numerical limits imposed on entry to the U.S. by our immigration law continue to be a more significant impediment to immigration from China than Chinese Government exit controls. The Chinese Government is aware of our interest in open emigration, and extension of the waiver will encourage the Chinese to maintain liberal travel and emigration policies.

In light of these considerations, I have determined that continuation of the waivers applicable to Romania, Hungary, and the People's Republic of China will substantially promote the objectives of section 402 of the Act.

THE WHITE HOUSE
WASHINGTON

June 18, 1982

Dear Mr. Solarz:

The President has asked me to thank you for your letter of June 11, conveying your concern, and that of 121 of your House colleagues, on the extension of Most Favored Nation trading status for Romania.

We appreciated receiving your statement on this matter, and the President has been giving his personal attention to the serious concerns which you and your colleagues have raised. As stated in his June 2 announcement, the President waived the prohibition of MFN renewal for Romania this year only after carefully weighing all factors within the context of the satisfactory state of overall U.S.-Romanian relations. However, the President intends to inform the Romanian Government that unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Romania's MFN renewal for 1983 will be in serious jeopardy.

Thank you again for contacting us on this important issue.

With best wishes,

Sincerely,

Kenneth M. Duberstein
Assistant to the President

The Honorable Stephen J. Solarz
House of Representatives
Washington, D.C. 20515

DANIEL P. MOYNIHAN
NEW YORK

United States Senate
WASHINGTON, D.C. 20510

The President
The White House
Washington, DC 20500

Dear Mr. President:

We want to share with you our concern about the severe oppression suffered by Christian groups in Romania, the tremendous decline of Romanian Jewish emigration in recent years, and the major cultural and social deprivation experienced by the Hungarian minority in Romania.

You will soon be making a recommendation to the Congress on the renewal of Most Favored Nation trading status for Romania. We urge that before you make the recommendation U.S. officials engage in serious and intensive discussions with the Romanian Government, making clear that your Administration shares the Congressional view of the need for Romania to humanize its treatment of religious and cultural minorities, and to raise the rate of Jewish emigration to the level of the years prior to the granting of MFN to Romania.

Documents and other information reaching the Helsinki Commission, private organizations such as Amnesty International and Radio Free Europe, demonstrate beyond doubt the seriousness of a situation previously underestimated in official quarters in Washington. They indicate ample use of prisons, labor camps and psychiatric facilities by the Romanian authorities in the apparently deliberate harassment of Baptists, Pentecostals, Orthodox and other religious groups, the exclusion of believers from educational institutions and jobs; forced assimilation of two and a half million Hungarians and the remorseless diminuition of their educational and cultural facilities; extraordinary obstacles placed in the way of would-be emigrants, including job dismissals and demotions, intimidation, military conscription, and the lengthy separation of families and affianced couples. In a region of the world noted for the general deprivation of human rights and civil liberties, Romania has distinguished itself by enforcing the separation of more affianced couples than in all of the rest of Eastern Europe put together.

Though section 402 of the 1974 Trade Reform Act relates expressly to emigration, we believe emigration performance has a broader significance as a visible measure of a government's commitment to other basic human rights. We have therefore been alarmed by the precipitous drop in Romanian emigration to Israel from an annual rate of three to four thousand in the years before the 1975 awarding of MFN status to Romania, to barely one thousand in recent years. The first three months of 1982, moreover, show a monthly average of only 53, compared with 250 to 350 just a few years ago. The monthly rate of Romanian emigration to the U.S. during 1980 and 81 was over 200; Israel, with a far larger Romanian family base than the U.S., should not have less.

Accordingly, we would urge the Administration to note the Recommendations of the Senate Finance Committee in the Fall of 1979 following the hearings of its International trade Subcommittee:

> to initiate discussions with Romania intended to lead to more specific assurances regarding emigration, such as those which preceded the granting of MFN to Hungary . . . . The Committee understands the difficulty of such an undertaking but nevertheless believes a renewed, more aggressive effort must be made.

We would also draw your attention to Senator Henry Jackson's 1981 message to the International Trade Subcommittee, with which the rest of us wholeheartedly agree:

> It is necessary for the Romanian (authorities) to do much better with regard to emigration to Israel . . . . They should more than double the annual number they are approving for emigration to Israel.

Finally, we remind you that there are a number of instances of Romanians who have been trying to emigrate to join family members in the West for as long as a dozen years. These long unresolved cases simply must be resolved if Romania is to continue to enjoy Most Favored Nation trading status.

MFN was granted to Romania in 1975 in hopes it would encourage freer emigration and greater freedom at home. Since then, however, emigration has fallen off and repression at home has continued unabated. We hope that your Administration will be able to report to Congress greater progress on these issues than we are currently aware has been made. At this point, we are unpersuaded that another extension of MFN for Romania will have the desired effect.

Sincerely,

William Armstrong
Daniel Patrick Moynihan

George J. Mitchell
Jesse Helms

32 names in all

DANIEL P. MOYNIHAN
NEW YORK

United States Senate
WASHINGTON, D.C. 20510

May 10, 1982

Honorable Nicolae Ceausescu
President
Socialist Republic of Romania
Bucharest, Romania

Dear Mr. President:

As you may know, our annual congressional discussion about whether to renew Most Favored Nation trading status for Romania is now underway. In this respect, we are sorry to have to report that we are much distressed by the continuing stream of information reaching us from numerous sources regarding the difficulties still being experienced by Christian groups in Romania, especially Evangelicals with whom so many Americans have a deep religious affinity, the ceaseless erosion of educational and cultural facilities for the Hungarian minority, and the startling decline in Jewish emigration from Romania in recent years to the current rate of one thousand persons annually.

In light of your Government's frequent declarations of support for the Helsinki Final Act, we look forward with great hope to the correction of these violations, which constitute serious obstacles to improved U.S.-Romanian relations. As emigration performance is so vital a part of MFN extension, we hope it will be possible to simplify Romanian emigration procedures, so to facilitate the reunification of long-separated families and affianced couples. We are particularly concerned that Romanian emigration to Israel during the first 3 months of 1982 has averaged only 54, a striking reduction from the 250 to 350 monthly averages in the years before Romania obtained MFN.

May we remind you of Senator Henry Jackson's statement to the Senate Subcommittee on International Trade last year stating:

> It is necessary for the Romanian (authorities) to do much better with regard to emigration to Israel . . . . They should more than double the annual numbers they are approving for Israel.

We support the view expressed to the Romanian Ambassador in a House letter of August 3, 1981 that the 1141 Approvals for Israel in 1980 should be "more than doubled" and "long standing cases resolved."

We would like to emphasize that we write in a spirit of comity and hope that our differences can be reconciled. The review procedure established when Most Favored Nation trading status was first granted to Romania in 1975 offers an opportunity for a broad evaluation of all the relations between our two countries.

We remain hopeful that this year's evaluation will be an occasion to measure the positive effects that our broadened commercial relation has had on other areas of mutual concern.

Sincerely,

William Armstrong
Damiel Patrick Moynihan

George J. Mitchell
Jesse Helms

51 names in all

SIMILAR LETTERS TO PRESIDENT REAGAN AND ROMANIAN PRESIDENT CEAUSESCU WERE INITIATED IN THE HOUSE BY REPRESENTATIVES STEPHEN J. SOLARZ AND ROBERT K. DORNAN. 120 signatures were accumulated.

ICHIGAN STATE
SENATE

Senator Miller moved that Rule 3.33 be suspended to permit him to change his vote from "nay" to "yea" on the passage of the following bill:

House Bill No. 5576

The motion prevailed, a majority of the Senators serving having voted therefor.

Senators Fredricks and Welborn offered the following concurrent resolution:

Senate Concurrent Resolution No. 761.

A concurrent resolution memorializing the President and the Congress of the United States not to renew the Most Favored Nation trading status of the Socialist Republic of Romania.

Whereas, Pursuant to Section 402 (the Jackson-Vanik amendment) of the 1974 Federal Trade Act, the immigration and human rights record of the Socialist Republic of Romania is to be studied annually by the administration and by both houses of Congress to determine whether or not that country is eligible to receive Most Favored Nation trading status for an additional year; and

Whereas, Numerous reports are reaching the United States which indicate that repression of religion is widespread in Romania. Five leading Romanian Baptist pastors of Bucharest, Joseph Sarac, Vasile Talos, Vasile Brinzei, Pascu Geabau, and Buni Cocar, have been falsely accused by Romanian authorities of embezzling funds. Klaus Wagner, a member of the Brethren Church, and Maria and Fibia Delapeta, who are members of the Army of the Lord of the Romanian Orthodox Church, were arrested on October 1, 1981, and tried, sentenced, and imprisoned, Silviu Cioata, Costel Georgescu, and Nicu Rotaru were arrested last year for distributing Bibles in Romania. Moreover, John Teodosiu was arrested and charged on December 16, 1981, for espionage due to his information gathering activities for western human rights organizations relating to the arrests and persecution of religious believers in Romania. These activities were religious, not political, in nature and have resulted in his being held incommunicado by the Romanian Secret Police; and

Whereas, Other reports indicate that relatives of persons arrested for their religious beliefs are being forced by Romanian authorities to sign statements which subject their loved ones to treatment in psychiatric institutions because of their religious beliefs. Moreover, there are indications that those individuals who have been arrested are being tortured with electric shock treatments and with severe beatings; and

Whereas, In August of 1975, the Romanian government signed the Final Act of the Helsinki Accords, pledging to "recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience"; and

Whereas, In view of the Romanian government's unwillingness to abide by the Helsinki Accords and its repression of human rights, it would be unthinkable for the United States of America to condone Romania's actions by granting that nation the Most Favored Nation trading status; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the members of the Michigan Legislature hereby urge the President and the Congress of the United States not to renew the Most Favored Nation trading status formerly accorded the Socialist Republic of Romania; and be it further

Resolved, That the United States Helsinki Commission be hereby urged to block the selection of Bucharest, Romania, as the next location for the review of the Final Acts of the Helsinki Agreement by the Commission for Security and Cooperation in Europe; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan Congressional Delegation, and the United States Helsinki Commission.

Pursuant to rule 3.6, the concurrent resolution was referred to the Committee on Senate Administration and Rules.

Senator Kelly offered the following concurrent resolution:

Senate Concurrent Resolution No. 762.

A concurrent resolution memorializing the Congress of the United States to enact S. 1918, the Northwest-Mideast Federal Hydropower Financing Authority Act.

Whereas, There is currently pending before the Congress of the United States a proposed Northwest-Mideast Federal Hydropower Financing Authority Act. This bill, S. 1918, would permit the states in the northwest and mideast regions of our nation to join together in a regional financing authority from which member states would be able to receive loans and loan guarantees to defray up to 70% of the cost required for hydrodevelopment; and

Whereas, At a time when billions of dollars a year are being sent abroad to purchase foreign oil, the energy potential of many bodies of water in the northwestern and mideastern sections of America remain untapped. While the development of hydro-electrical facilities is tremendously cost-effective in the long run, such development requires a tremendous amount of initial capital investment. The amount of money required is often beyond the ability of local and state governments to pay; and

The Center for Russian and East European Jewry
240 Cabrini Blvd., New York, N.Y. 10033
Tels. (212) 928-7451, 795-8867, 799-8902

ROMANIAN JEWISH EMIGRATION TO ISRAEL 1972 - 1982

1972	3000
1973	4054
1974	4132
1975	2008
1976	1989
1977	1334
1978	1140
1979	988

	1980	1981	1982
January	56	50	33
February	52	71	64
March	87	47	65
April	74	59	81
May	89	56	51
June	61	47	128
	421 sbtl	329 sbtl	420 sbtl
July	126	56	
August	97	86	
September	128	156	
October	105	85	
November	73	112	
December	92	148	
	1043	972	

Source: Embassy of Israel; Washington, DC

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REGISTRATION FOR EMIGRATION AT[1] ROMANIAN JEWISH COMMUNITY OFFICES TILL MAY, 29, 1982: AN ANALYSIS BY IRA KLEIMAN, WASHINGTON D.C.

Known Applications Pending Since Before 1978 - Bucarest ---------- 9
" " " " " " - Provinces --------- 1
Known Applications Pending Since 1979 - Bucarest ----------------- 12
" " " " " - Provinces ---------------- 23
Known Applications Pending Since 1980 - Bucarest ----------------- 26
" " " " " - Provinces ---------------- 23
Known Applications Pending Since 1981 - Bucarest -----------------129
" " " " " - Provinces ----------------191
Known 1980 Approvals - Emigration Pending - Bucarest ------------- 69
" " " " " - Provinces ------------ 94
Known 1981 Approvals - Emigration Pending - Bucarest ------------- 40
" " " " " - Provinces ------------ 58
Known 1982 Applicants - Bucarest ---------------------------------147
" " " - Provinces -------------------------------153
Known 1982 Approvals - Emigration Pending - Bucarest -------------205
" " " " " - Provinces ------------214

Total Backlog - 1394

Basic Analysis

1) The data base used in preparing this report included the Romanian Jewish Emigration Update of April 4, 1982 prepared for the ICBB, and the Romanian response now circulating on Capitol Hill, lists of emigration applicants supplied by Chief Rabbi Rosen through May, 29 1982, lists of Approvals, i.e. those approved for emigration by the Romanian Government and lists of persons who have actually exited Romania for Israel through May 1982.

2) In their response to the April 4 Update, the Romanians claim that 38 named persons had either withdrawn their applications or had never requested to leave. A subsequent investigation and comparison of all available application and approvals lists revealed many of these people had indeed registered to leave, and some had even been approved. Thus, their names are included in this update, and they contribute to the total backlog of 1394.

3) Of the 610 persons the Romanians claim to have approved in the first five months of 1982, 254 persons, or 42%, had not registered with Rosen. This figure comports with previous analyses which revealed a large "shadow population" of approx. 50% of all emigrants who do not register with Rosen (40-45% of all emigrants appear only on approvals lists, and 5-10% are not identified prior to arrival in Israel.

4) The 1394 figure, coupled with the 50% shadow population, points to an actual backlog number approaching 2000 persons.

5) Of the 1394 known persons awaiting emigration, 680 (163 in 1980, 98 in 1981, and 419 in 1982) have been approved for exit by the Romanian Government. However, past experience has shown that cases cannot be considered resolved until the emigrant actually leaves the country. To illustrate, as of October 1981, the approvals backlog for the years 1980-81 numbered 324; as of May 29, 1982, fully 6 months later, that number had been reduced by only 63 persons to 261. Again, these are people who applied to emigrate in the 1970's who are still in Romania. Thus, an increase in approvals may not translate into an increase in the level of emigration.

Mr. GIBBONS. Mr. Abbe?

STATEMENT OF CYRUS GILBERT ABBE, NEW YORK, N.Y.

Mr. ABBE. Congressman Gibbons, I would like to start by thanking you and your committee for intervening with the Romanian Government on behalf of the numerous Jews seeking emigration from Romania about whom I have written you. I would like to respond to something you have said a couple of times here.

You have mentioned you have not yet had an opportunity to go to Romania. I would pray when you do go there that you will try to do two things. First, if possible, you should take with you somebody who would be willing to talk to the individuals there who are applying for visas to leave; and, second, that you make it your personal effort to speak with these individuals also. With respect to somebody to accompany you, I will be delighted to go with you, sir, at my own expense, to introduce you to Romanian individuals who are trying to emigrate. Because of my trips to Romania, these individuals will not be afraid to talk to us personally and truthfully. I will make sure you hear the true stories from the individuals who are trying to leave.

There is a danger if you go to Romania alone. Romanian Jews told me that when Congressman Vanik was there there was no way they could possibly approach the Congressman, and talk to him about emigrating. If you want to accept my offer, I would be delighted to go with you.

I want to talk with you about the fact that although the State Department has come to testify here every year I have come to testify and it is constantly bewailing the serious emigration problem that exists in Romania, nothing seems to be done in order to improve the situation. The State Department constantly bewails the fate of Romanians who want to emigrate and then constantly say, that they hope it will improve. There will be no improvement unless this committee, along with the Senate committee, makes sure that the Romanians do something to change to emigration situation.

Back in 1979, the Jewish organizations worked out an agreement with the Romanian Government providing (a) that any person who wanted to emigrate would be free to do so; (b) that applications for exit visas would be readily available; and (c) that these applications would be processed expeditiously. As far as individuals being free to emigrate, as you know the number of Jews being allowed to leave Romania has declined from over 300 a month when MFN was being granted to now approximately 70 a month, or a reduction of over 75 percent in the number of Jews who are being allowed to leave.

In addition, it is necessary to discuss the question of Romania's approval. I think it should be pointed out that we cannot act on the basis of Romanian Government approvals of emigration requests because approvals don't necessarily mean that the applicants are allowed by Romania to leave. I have been advised that 160 people who had received Romanian Government approval to emigrate back in 1980, 2 years ago, or 7 earlier have not yet been allowed to leave the country. I am not saying they have been waiting for only 2 years since they first applied because many of them had first applied for years before they were granted approval to emigrate. These approvals usually come just prior to congressional hearings so as to impress Congressmen. You cannot measure the number of emigrants on the basis of approvals; you can measure only on the basis of individuals who actually leave Romania.

Applications for exit visas are not readily available and applications are not processed expeditiously. First, you don't merely fill out an application. In order to deter and discourage you from taking the first step, you have to go first to a police department where if you are lucky, you receive a preapplication form or you put your name on a list.

After the preapplication form is completed and submitted, you are summoned to a meeting of the People's Council. There you are told you should not apply to leave and that various things will happen to you if you do apply. You are discouraged from applying and asked to withdraw your application. If you don't do that, you usually hear a negative response soon.

You then start a procedure of appeal which takes many, many months; sometimes the Romanian officials don't even look at your appeals. After you have appealed for a number of months, if you are fortunate and if somebody in the West may have heard and come to you, Mr. Chairman, or others, and pleaded for your intervention, then maybe the Romanian Government will finally start to do something on your particular case. Still it will be months before you might get the official application form. That means your preapplication was approved and you now have your application form.

You then submit your application form and after waiting many more months you may receive your passport and approval to leave, which does not guarantee your departure, but which may mean that after you wait many, many more months you will be allowed to leave.

Now I have heard people testify here that one of the reasons individuals are not allowed to leave is because of their jobs. What I cannot understand then is why the Romanian Government is firing people from their jobs who try to leave. Why are they harassing them? Why are they taking them out of their jobs and drafting them into the army? Why are they calling them to People's Council meetings? These things are not done because they need the individuals to stay on their jobs, but is meant to discourage and deter individuals from applying to leave.

You are receiving from me and from other individuals who submit names of applicants for emigration to you only a tiny fraction of the individuals who want to leave Romania. Jewish individuals who want to leave Romania have told me, "How can I possibly apply to leave when I may be fired from my job and wait 1, 2, 3 years, and maybe never get an approval? What is going to support my family during this period of time?"

You have raised a question about the total population in Romania. Let me explain to you that there is no exact figure of what the total population is in Romania. What Rabbi Rosen is reporting is the number of Jewish people who have registered with the Jewish community in Romania. These tend to be the older Jews who need the help of the Joint Distribution Committee. It is estimated that only about half the Jews in Romania register because many Jews are not looking for the kosher food and other items supplied by the Joint Distribution Committee and are afraid of the anti-Semitism which has existed in the country for decades. The figure of 32,000, on the list of Rabbi Rosen is about half the total numbers of Jews there based on reports I have received from the Jewish individuals I have spoken to both in Romania and the United States.

The World Fact Book for 1981, formerly called the National Basic Intelligence Fact Book—produced annually by the National Foreign Assessment Center of the CIA, the data being provided by various components of the CIA, Bureau of the Census, the State Department, and the Defense Intelligence Agency, compiled in April 1981—placed the number of Jews in Romania at 60,000. The Jewish Encyclopedia produced in Israel puts the number at 70,000. The people I have spoken to also put the figure somewhere in the 60,000 to 70,000 range. So it is not correct to measure the number of Jews by those who are registered on Rabbi Rosen's list.

Also it is not accurate to state that because of their age these individuals do not want to leave Romania. The suggestion was made that 350,000 Jews left Romania right after the war to go to Israel so you don't have many in Romania who still want to leave; on the contrary, what is the case is that with 350,000 Romanian Jews in Israel, most of the Jews remaining in Romania have their family in Israel and they want to go to Israel to join them.

They don't want to emigrate because of the American dream of a golden Medina. They want to go to Israel because they want to be with their family in what they consider their homeland, to where they have prayed and tried to go for many years. So it is not a question of their trying to get into rich America, and it is not a question of the fact that they do not have a family outside Romania. On the contrary, they are Jews with family in Israel who want to leave.

With respect to the suggestion raised by Mr. Downey of increasing the number of years for which trade privileges are granted, I cannot speak with respect to Hungary or China but I must say, that with respect to Romania I would like to see the time period decreased. If you want to encourage those countries which have been performing in the appropriate manner by giving them trade privileges for more than 1 year, then perhaps, it is my feeling, the

U.S. Government should reflect its viewpoint toward Romania's failure to allow free emigration by decreasing the time period Romania has such trade privileges.

If this can't be done legislatively, I would recommend that at the present time this committee should not allow renewal of most favored nation treatment. Once this occurs I think the Romanians will very quickly provide a more rapid emigration procedure and increase the number of individuals who will be allowed to leave.

I want to note in closing that when I returned from Romania a couple years ago with letters that had been given to me by Romanian Jews to give to various Senators and Congressmen that these letters were seized from me at the airport and the individuals who had met with me were in great personal danger. I came to Washington and spoke with numerous Congressmen and Senators. They got on the telephone and they called the Romanian Ambassador to complain bitterly about the treatment of individuals who had tried to send them letters asking for their intervention with the Romanian Government. Lo and behold, within a few months approximately 40 to 50 of those people were out of Romania.

If that can be done in a few months, there is no need for this bureaucratic procedure that frequently requires over a year. What it does mean is if you insist on progress being made to get rid of the long application procedures, that the Romanian Government will suddenly, in order to retain $1 billion in trade, comply. We will finally be able within a short number of years to get out the large number [illegible] Jews who want to go and join their families in Israel.

Thank you.

Mr. GIBBONS. Thank you, sir.

[The prepared statement follows:]

STATEMENT OF CYRUS GILBERT ABBE

SUMMARY

After visiting Romania and conferring with numerous Romanian Jews about the obstacles placed in the way of their emigration by the Romanian government I have reached the following conclusions:

I. The Romanian authorities are preventing Jews from emigrating.

A. Tens of thousands of Romanian Jews want to be reunited with their families in Israel.

B. The number of Romanian Jews allowed to emigrate each year has declined over 75% from about 4,000 each year in 1973 and 1974 to less than 1,000 this year if the current monthly rate continues.

C. The application procedure for an exit visa is tortuous, and those who are fortunate to receive visas often wait years before obtaining them.

D. Potential applicants are afraid to apply because of the long and burdensome procedure and the persecution while waiting for a visa.

E. The Romanian government has failed to honor the commitment it made to the American Jewish community in 1979 at the time of these hearings that any person who wanted to emigrate would be free to do so, that applications for exit visas would be readily available and that these applications would be processed expeditiously.

F. The applications are aware of America's concern as reflected in the Helsinki agreement and the trade legislation and beg your assistance.

G. I have provided the Subcommittee with a list of some Romanian Jews waiting to emigrate who have contacted me asking for assistance by the American government.

II. Congress should deny the waiver of the freedom of emigration requirments with respect to Romania and should deny Romania most-favored-nation trade privileges until concrete evidence is provided by the Romanian government that (1) it will increase the number of Jews who are allowed to emigrate to a total of at least 4,000 a year, which is approximately the total that was permitted to emigrate before Romania obtained most-favored-nation trade privileges, and (2) the application procedure has been changed completely.

STATEMENT

Based upon my visits to the Jewish Community in Romania, extensive discussions with Romanian Jews who have, after great difficulties, been allowed to emigrate from Romania, and substantial correspondence with Jews in Romania and their relatives all over the world, I have the following conclusions:

1. Tens of thousands of Jews would like to emigrate to Israel.
2. Although about 4,000 Jews left for Israel each year in 1973 and 1974, only about 1,000 Jews were allowed to leave for Israel in 1981. If the current rate of emigration for 1982 continues, less than 1,000 Jews will leave for Israel this year. Thus there has been a decline from about 4,000 each year in 1973 and 1974 to less than 1,000 in 1982, a decline of over 75 percent.
3. The procedure to apply for an exit visa is extremely difficult and tortuous. The request for a visa is sometimes denied or it takes years before approval is granted. The applicant is frequently subject to harassment and persecution during this long period without any assurance that he will ever receive the visa, and therefore many Jews are too frightened to apply.
4. The Romania government has failed to honor the commitment it made to the American Jewish community in 1979 at the time of these hearings that any person who wanted to emigrate would be free to do so, that applications for exit visas would be readily available and that these applications would be processed expeditiously.
5. An extension of the waiver at this time after the enormous decline in the number of Jews allowed to leave for Israel in recent years and in the face of difficulties placed in the path of applicants for exit visas would be contrary to America's humanitarian policy as expressed in Section 402 of the 1974 Trade Act which we are considering today and, of course, the letter and spirit of the Helsinki Accord.

I am an attorney by profession, but I have been active in Jewish affairs for many years and have worked as a volunteer to help Jews who seek to emigrate from Romania. During my trips to Romania numerous Jews who had applied for an exit visa told me how they were followed, how their phones were tapped, how they had been fired from their jobs, etc. Many of those who had not applied told me they wanted desperately to leave but knew that if they applied they may immediately be fired and might have to wait years to receive an exit visa, should it ever be granted, without any source of income to support them and their children. They advised me that the census figures for the number of Jews in Romania was erroneous because many Jews were afraid to tell the census taker they were Jewish and some census takers discouraged Jews from calling themselves Jewish. Jews have even been afraid and unwilling to register with the Jewish Federation in Romania so the total number of Jews registered with the Jewish Federation is only a portion of the total Jewish population in Romania. On the basis of numerous conversations with Romanian Jews I would estimate there are now about 70,000 Jews living in Romania. As mentioned above whereas approximately 4,000 Jews a year were permitted to emigrate to Israel in 1973 and 1974, it appears from the current monthly emigration figures that less than 1,000 Jews or less than 25 percent of the prior number will be allowed to go to Israel this year. Some of the older Jews in Romania receive support, care and aid from the Joint Distribution Committee supported by the United Jewish Appeal and feel too old to emigrate, but the overwhelming proportion of the younger Jews and some of the older ones are eager to move to Israel and be reunited with their families there. Although synagogues may exist in Romania, eveyone is required to work on Saturday so that the only Jews able to attend Sabbath morning services are those who are retired. Although kosher food and other religious observances may be maintained, this limited form of Jewish life does not compare with the full Jewish existence available in Israel, and the Romanian Jews long to join their families in Israel There are now about 300,000 Romanian Jews living in Israel, most having left Romania just after the end of World War II, so those left in Romania frequently have almost their entire family in Israel.

Although most of the estimated 70,000 Jews in Romania want to emigrate, a complex and tortuous application procedure for an exit visa has been instituted by the Romanian government not only to delay seriously and unnecessarily the length of time an applicant must wait for an exit visa but also to intimidate, frighten and discourage Jews from asking for exit visas. Whereas previously a person wishing to emigrate completed a large application form and then could wait months of years for a response, several years ago the Romanian government instituted a new procedure whereby the applicant must first complete a brief preliminary request form. Only if this is approved does he receive the large application form. (Jews in Bucharest suspect the reason for the change was so that when a member of Congress would ask about an individual seeking to emigrate, the Romanian Ambassador could say he hadn't even applied to leave when in reality the government had rejectd his preliminary request and refused to give him an application form.) After the applicant submits the preliminary request a delay of at least several months frequently follows and then he is summoned to a meeting at the local People's council in the area where he works. There he is frequently humiliated and advised to withdraw his request. If he refuses, he is often threatened and told orally that he will not be permitted to leave. After more months of waiting he may receive a formal written rejection of his request. He then begins to submit complaints with the hope that the decision will be reversed. It may never be reversed, or sometimes after a short or long period of waiting his complaint is recognized and he is given the application form. After he completes and submits the application form he continues to wait with no assurance of approval. In spite of criticism by Congressmen of this intimidating application procedure, the Romanian government instead of easing the procedure decided to make it even worse. Sometimes before the applicant can even receive the preliminary request form he must first place his name on a list. Then at a later time he may be summoned to a meeting with the authorities who can determine if he should be given the preliminary request form. Imagine now a procedure where (1) an applicant places his name on a list, waits and then appears before the authorities to ask for a preliminary request form, then (2) if, after waiting for a response, he is one of those who is given the preliminary request form, he will have to wait again after he has submitted it and then appear before the People's Council to determine if he should be given the application form, then (3) if, after waiting for a response, he is one of those who is given the application form, he will after submitting the application form have to wait once again for the government's response, then (4) if his application form is approved he will have to obtain and submit to the government dozens of documents regarding his home, his job, etc., then (5) if those documents are all in order his exit visa will finally be granted. At all of these steps applicants are rejected, but since an applicant has already announced his desire to emigrate from the beginning of this tortuous proceeding he is frequently subjected during this long period of time to harassment and persecution such as being followed, having his phone tapped and being fired from his job so that he is obliged to remain in Romania but has no source of income. Is there any doubt in the face of this procedure that the Romanian government had decided to violate the terms of the Helsinki Accord and the provisions of the Jackson-Vanik amendment and to disregard the repeated requests of Congressmen for an easing of the Romanian application procedure? Can anyone doubt that this procedure and the accompanying persecution make many Jews who want to leave too frightened to take the first step and put their names on the list for the exit visa?

As examples of the refusal of the Rumanian government to grant exit visas and the harassment of applicants please consider the situation of (a) Doina Vlasta Baciu, Gabriel Buruiana and Elena Ganea who were fired from their jobs after requesting exit visas, (b) Sergiu and Ruxandra Ratescu, who, after requesting permission to go to Israel since 1970, were finally told in 1977 that their passports were ready, but after completing their preparation to emigrate and leaving their jobs were told it was all a mistake and they could not emigrate, and (c) Nathan Fleischer, Herman Rubinger and Shmiel Feiden, who were convicted in anti-semitic trials held nearly 30 years ago, served many years in prison, are still required each year to pay fines to the government and are prevented from emigrating to Israel.

In 1979 at the time of these hearings the Rumanian government assured and agreed with the American Jewish community that (a) any person who wanted to emigrate would be free to do so, (b) that these applications would be processed expeditiously. Unfortunately, however, the Rumanian government has failed to honor these three commitments, and many Jews who have registered with the Jewish Federation and requested exit visas more than a year ago have not even received the application form and are still in Rumania.

I am proud as an American of our government's concern for human rights around the world, for free emigration, for reunification of families. But how shallow our words must appear when year after year despite the constant expression of concern by this Committee and other Congressmen the Rumanian government decreases the number of Jews allowed to join their families in Israel and continues an application procedure which is tortuous and intimidating. With emigration of Rumanian Jews to Israel down by over 75% and the application procedure a terrifying example of Rumania's disregard for the principle of free emigration it is time to deny the waiver of the freedom of emigration requirements with respect to Rumania. It is time to deny most-favored-nation trade privileges to Rumania until concrete evidence is provided by the Rumanian government that (1) it will increase the number of Jews who are allowed to emigrate to a total of at least 4,000 a year a year, which is approximately the total that was permitted to emigrate before Rumania obtained most-favored-nation trade privileges, and (2) the application procedure has been changed completely. Rumania's strong desire for trade with America will encourage her to change her emigration policies quickly, and the Jackson-Vanik Amendment will have effectively assisted numerous individuals to live free from persecution and to be reunited with their families.

RUMANIAN JEWS SEEKING TO EMIGRATE

One asterisk next to the number indicates that the individual(s) have been trying to emigrate from Rumania for over one year. Two asterisks indicate the individual(s) have been trying to emigrate from Rumania for over two years, sometimes as long as five or ten years.

1. Marcel Aberdan, Strada Maior Ion, Bl. C. 8, Sc. A, Et. 2, Ap. 17, Falticeni, Judetul Suceava Cod 5750, Rumania.

**2. Iosefina Alexandroaie (and her daughter Violeta), Str. Dr. Staicovici 13, Sector 5, Bucharest, Rumania.

3. Liviu and Dorina Argeseanu, Str. Dionisie Lupu No. 53, Et. 1, Ap. 9, Sector 1, Bucharest, Rumania.

*4. Andrei and Gabriella Alexandra Aszodi (and their daughter Miriam), Gavana II, Bloc D 14, Sc. C, Ap. 8, 0300 Pitesti, Rumania.

*5. Mihnea and Doine Vlasta Baciu, Ronda 2B Street, Sector 2, 73221 Bucharest, Rumania.

6. Dan Bianu, Str. Otavei 6, Et. 5, Ap. 24, Balta Alba, Bucharest, Rumania.

*7. Gabriel and Anca Buruiana, 11 Rahmaninov Str., Bucharest 2, Rumania.

8. Sandu and Rodica Cojocariu (and their daughter Irina), Str. 13 Decembrie No. 31, Bl. 5, Et. 3, Ap. 21, Bucharest, Rumania.

**9. Nathan Fleischer, Str. Castanilor, Bl. 6, Sc. F, Ap. 5, Bacau, Rumania.

*10. Ignatz and Anca Friedman, Bulevard Prelungirea Ghencea 4, Bl. R4, Sc. B, Ap. 50, Et. 1, Sector 6, Bucharest, Rumania.

**11. Eugen Fundulea, Str. N. Balcescu Nr. 55, Bl. 8, Ap. 36, Buzau, Rumania.

*12. Andrei and Ecaterina Gabor, Bulevardul Primaverii No. 6, Bucharest, Rumania.

13. Petru and Elena Ganea (and their daughter Olga), 12 Ceaikovski Str., Ap. 8, Bucharest, Rumania.

**14. David and Silvia Gheorghiu (and their son Silviu-Eyal), Str. Horia Nr. 76, Ap. 22, Cluj, Napoca, Cod 3400, Rumania.

15. Laurentium Nicolae and Mirela-Marcela Ionescu, Str. Fetitelor No. 6, Sector 3, Bucharest, Rumania.

*16. Iacob and Margit-Paula Kamil, 3 Manejului Street, Ap. 26, 5875 Radauti, Rumania.

**17. Herman Leizerovici, Str. Unirii Nr. 7A, Bl. 53, Ap. 1, Botosani, Rumania.

18. Rubin Mayer, Piata Plevnei 6, Ap. 1, Cod 1900, Timisoara, Rumania.

*19. Dorel and Olga Moscovici, Str. Lt. Lemnea 1, Ap. 6, Bucharest, Rumania.

20. Gabriel Neufeld, Str. V. Alecsandri No. 12, Cluj-Napoca 3400, Rumania.

*21. Paul and Elena Pechiu, Str. Poenaru Bordea Nr. 6, Et. 1, Ap. 9, Sector 4, Cod 70502, Bucharest, Rumania.

**22. Maria Racz, Bd. Ana Ipatescu Nr. 24-26, Ap. A, Sc. A, Sector 1, Bucharest, Rumania.

**23. Sergiu and Ruxandra Ratescu (and their son Sebastian), Str. Liviu Rebreanu Nr. 7, Bl. 51, Et. 8, Ap. 123, Sector 4, Bucharest, Rumania. Sergiu's mother also wants to emigrate; Jeana Ratescu, Bd. Muncii Nr. 94, Bl. 1/B, Et. 1, Ap. 3, Sector 3, Bucharest, Rumania.

**24. Herman and Ghina Rubinger, Str. Nicos Beloianis Nr. 9, Bucharest, Rumania.

25. Otilia Scheener, Cal Grivitei 67, Sector 8, Bucharest, Rumania.

26. Mihail-Lucian and Nadia Solomon (and their son Dan), Str. Bodesti No. 2, Bl. 29B, Sc. A, Et. 1, Ap. 6, Sector 2 (Pantelimon), Bucharest, Rumania.

Mr. **GIBBON**. Our next witness is Reverend Galdau.

STATEMENT OF VERY REV. FLORIAN M. GALDAU, CHAIRMAN, AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES

Reverend **Galdau**. Mr. Chairman, and honorable members of the committee, I am the chairman of the American Romanian Committee for Assistance to Refugees. I would like to thank Mr. Birnbaum and Mr. Abbe for trying to present to you the truth in connection with the real situation in Romania.

We have heard today many people speaking about the situation in Romania. Of course, I am not going to get into discussion with these gentlemen. But it would have been very important for you to hear the truth. And, in that way, it would be much easier for you to make a decision as far as this extension of the trade agreement is concerned.

It is true that, in 1981, the Romanian Government has issued exit papers to a number of citizens allowing them to join their families abroad or visit them. However, it is equally true that exit papers were repeatedly denied to others.

To the best of our knowledge, we respectfully submit to you a few cases out of hundreds in which the Romanian Government has been changing its immigration policy, and did not honor its written signature on the trade pact.

The cases I have mentioned in my report are quite well presented to you, so I wouldn't repeat them. But there are many other cases. In fact, the situation is getting much more difficult than we can expect.

Only 2 months ago a man who had a very good situation from a financial and economic point of view in Romania, expressed his wish to emigrate to the United States. He was arrested. His daughter was arrested, also. They were condemned to 5 months in jail. Everyday this man was beaten and instead of breakfast in the morning, was sent to labor during the day.

The letter just came to me yesterday from Bucharest, so I could not include it in my papers. But I will include it in later reports of mine. The same happens with Dr. Popescv Falticeni, present in this hall today.

He has been trying to bring his brother and sister-in-law and child to this country for the last 3 or 4 years. He is going to be a U.S. citizen very shortly, probably this fall.

But he did not succeed. His brother was refused many times for asking for a passport and exit visa from Romania. Another case is that of Mrs. Eufrosina Marcu of Canada. She has tried for the last 4 years to bring her relatives over, but she never succeeded. So these are some of the cases which I would like to mention in my later reports. And I don't want to take too much of your time, because I know you have too many, even if you would be Solomon, your wisdom needs something more of that of Solomon in order to decide whatever you have to do under such circumstances.

The most important thing is that the Romanian Government refuses to honor its own policy, as far as emigration is concerned. I am not interested in economic policy, because I think that the policy from an economic point of view of the Romanian Government is absolutely a complete fiasco, complete failure.

But I am not interested in that. I am interested in their humanitarian aspects of life. They have provided in the Romanian Constitution that everyone is free to get out of Romania, to do whatever they want.

But they don't want to obey by their own Constitution. In the meantime they pretend that there is religious freedom, as one gentleman just mentioned today, that there is perfect religious freedom in Romania. Well, only 2 years ago, Father Calciu-Dumitreasa, a Romanian Orthodox priest, expressed his own conviction when he said that Communist ideology is a depressing one.

For this simple sentence he was fired from his job as a professor of theology at the Institute of Theology in Bucharest, and he was condemned to 10 years' prison.

But before he was condemned to 10 years' prison, he was beaten in such a way that his wife did not recognize him. So these are the cases which may be strange to us, but these are the cases that we have to take into consideration when we deal with the Romanian Government.

Ceausescu, I don't want to characterize him. I don't know him personally. I know he does not recognize his own signature, because his signature is on all these various agreements between the United States and Romania, and he never, never honored any of them.

So this is a kind of a policy that Communist ideology teaches how not to do it. And for this reason, there is no freedom, no religious freedom, no human rights, no political freedom. Nothing, absolutely nothing, that will give a man satisfaction for his work.

When I ask the young people today coming as refugees, why did you leave Romania? You are a young man, born under the Communist rule. Father, we have no freedom. We did not know what to do with our life. No independence. We worked like mules from the early morning until late in the night, and we don't have a penny of our own. That does not interest us. What interests us, "we want to be free to do whatever we want to do."

And this is one of the situations which is practically repeated by every one of them. Therefore, that is why, probably, the Communist government is taking such very, very serious and severe steps against those who want to emigrate, just because they are backed by whom? By the U.S. Government, by people who don't understand them, by people who, for some reasons or others, are pleading their cause here in this country, by people who think that it would be much better for them, like a young lady said today, in Romania than in the United States.

She has her own people over there, but she doesn't want to go there, to live there. She lives here. And therefore I feel that this is a very strange situation which people should understand what we have to do. This is probably one of the reasons why for the last 8 years I have been against this extension of this trade agreement, because I think that if you refuse this year this extension, the Communist government will change their policy of emigration immediately.

Thank you, sir.

[The prepared statement follows:]

STATEMENT OF THE VERY REVEREND FLORIAN M. GALDAU, CHAIRMAN, THE AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES (ARCAR)

Mr. Chairman, and Honorable Members of the Committee: Thank you for the privilege and honor to once more appear before you today. I am Rev. Father Florian M. Galdau, Chairman of The American Romanian Committee for Assistance to Refugees (ARCAR). I am a U.S. citizen and a native of Romania.

The Trade Act of 1974 between the United States and Romania, as you are aware, provides for free emigration and visits abroad by Romanian citizens without any pressure or harassment from their Government.

It is true that in 1981 the Romanian Government has issued exit papers to a number of citizens, allowing them to rejoin their families abroad, or visit them. However, it is equally true that exit papers were repeatedly denied to others. To the best of our knowledge, we respectfully submit to you a few cases out of hundreds in which the Romanian Government has been changing its emigration policy and not honoring its written signature on the Trade Pact.

The following cases illustrate how the Romanian Government still has not reformed its sadistic practices.

For instance, INS approved entry to the U.S. on May 14, 1980 for Miss Mihaela Irescu-Iaru of Str. Colaborarii #2, bloc 16/3, Sc. B, #6, 1900 Timisoara, Romania. Her mother, Mrs. Elena Ionescu, a U.S. citizen, of 2523 31st Avenue, Astoria, N.Y. 11106, has tried for four years to bring her daughter here and failed.

Mrs. Mary Popa, a native U.S. citizen, after years of struggle managed to return to the U.S.A. INS approved entry for her husband, Horatius and sons, Horatius-Sorin and Dorel-Horia March 15, 1979. They are still waiting for their exit papers.

Mrs. Alexa Balamaci, 265 East 201 Street, Bronx, N.Y., is a widow, U.S. citizen and very sick. Since 1979 she would like one of her nephews, Mihalexe Cornel, c/o Dan Iliescu, Str. Cauzasi 12, Bucharest, to come here. Although he was on various lists of relatives trying to join their families abroad which were presented to the Romanian Government, his exit papers have been repeatedly refused.

Mrs. Victoria Gyorgy and family of Str. Cetatea Histria #1, Bloc M-13, #9, Etaj 2, Sect. 6, Bucharest, had INS approval for U.S. entry since May 8, 1981. Her sister, Mrs. Ecaterina-Livia Literat, of 355 S. Los Robles Avenue, #201, Pasadena, CA 91101, is a U.S. citizen, yet her family cannot get exit papers from Romania. The papers were refused on June 21, 1982.

Miss Armenouhi Sarafian, a U.S. citizen, of 923 Heliotrope Dr., Los Angeles, CA 90029, has been trying to bring her nephew to the United States and failed. He is Garbis Salamanian, a 24-four-year-old electronics engineer who would be a great asset to this country. He resides at Blvd. Ilie Pintilie #29, Bloc 3, Sc. B, Etaj 4, Apr. 135, Sector 1, Bucharest.

The case of the Bogdan family is even stranger. Virgil Bogdan, of 37 Welcome Farms Road, Monmouth Junction, N.J. 08852, a U.S. citizen, has been trying to bring his brother and family here and they are continuously denied their exit papers. His brother is Cornel Bogdan, 46, and his wife, Stela, 32, and sons, Dragos, 3, and Horatiu, 17. They reside at Str. Constructorului 6, Bloc 3/1, Sc. C, Apt. 12, Cujir 2566, District of Alba, Romania. Horatiu, 17, is Mr. Bogdan's son by his first marriage and although his mother consented to let him come to the U.S. with his father, the Romanian Government won't let him go—unless Mr. Bogdan pays the sum of 140,000 lei, which is over $11,000 at the present rate of exchange.

Mihai Nemet, 29 Euclid Avenue, #1, Fairfield, Ct. 06430, came here as a Conditional Entrant on August 1, 1978. He worked hard and despite strenuous efforts has not succeeded in bringing his wife over to the U.S.A.

Mrs. Nemet lives at Str. Emil Racovita 31, Bloc E. M. 2 Sc. Apt. 10, Sect. 4, Bucharest. Until 1980 she worked as an accountant to 2 Bucharest kindergartens. It so happened that at one of her work places an employee stole 160,000 lei of which she already refunded 20,000 lei before anyone discovered the theft.

When Mr. Nemet requested his wife's exit papers from Romania the Romanian Government arrested her for the theft of the money the other employee had stolen. The Bucharest District Attorney, Diaconescu, has been continuously harassing Mrs. Nemet into admission that she stole the money but she has stoutly maintained her innocence. In the meantime she can't leave Romania.

Her husband has written to President Reagan, Secretary of State Alexander Haig and Senators Henry M. Jackson and Edward Kennedy, the Washington Post and many others in the hope to exert pressure on the Romanian Government to let his wife go. He is so distressed that he can't protect his wife from this harassment and bring her here to join him that we are afraid he may harm himself.

CASES

Mrs. Eufrosina Marcu of 4732 The Bulevard, Westmount, Quebec, Canada, H3Y 1T9, Canadian citizen, has made all kinds of efforts to bring her relatives from Romania, but to no avail. Her relatives are as follows:

Mrs. Ectarina Dimitrescu, sister: 57 years.
Mr. Decebal Dimitrescu, brother-in-law, 57 years, mechanical engineer.
Address: Str. Episcopiei No. 2, et. 2, apt. 3, Bucureşti, Romania.
Mr. Razvan Dimitrescu, nephew, 30 years, civil engineer.
Mrs. Mariana Dimitrescu, niece, 29 years, biologist.
Ioana-Diana Dimitrescu, 4 years.
Address: Str. Miron Constantinescu No. 5, Bloc E 3—Bucureşti, Romania.

Mr. Iacob Stelian and daughter Maria Iacob have been arrested on May 1st, 1982 and condemned to 5 months prison because they expressed the wish to immigate to the U.S.A. Iacob Stelian is in the prison of Gherla, and every morning instead of breakfast is beaten and after that he is sent to work. Because of his torture and beatings he became very ill but the Communist authorities refuse to let him see a doctor. His address in Romania was: Bulevardul 1 Mai No. 20, Sect. 1, Bucureşti. His wife and 3 minor children are at home but his daughter who is 26 years, is in the prison of Tîrşorul. They implore the U.S. Congress to get them out of prison and our Committee will be glad to help them to come to the U.S.A.

Mr. Ionel Timbrea of 490 State Street, Brooklyn, N.Y. 11217, a conditional entrant since Dec. 1981, has his wife, Ruxandra Tibrea and 3 children Marilena-Emilia Tibrea, 9 years; Ovidiu-Ionel Tibrea, 7 years, and Minodora Tibrea, 5 years. All of them live at Str. Zimbrului, No. 20 Bis, Tecuci, district of Galati, Romania. They will be most grateful if the U.S. Congress will help them to reunite and live here in Brooklyn, where the husband has a good job as superintendent.

There are many other cases I know of just as difficult as the enumerated ones herein. To men of good faith this proves again that the Romanian Government refuses to abide by its obligations which are clearly stipulated in the Trade Pact.

Therefore, to my deep regret, I will not be able to ask you to renew this Trade Pact, but on the contrary, I'd appreciate it if you would refuse it.

Thank you very much.

Chairman GIBBONS. Thank you, and thank all the panel. I realize, coming from my background and coming from the fact that I, by accident of birth, am an American, that I have lived in a free country, and have a hard time understanding someone else's system.

But for the life of me, I can't understand what would motivate a government to try to keep people that don't want to live there inside of their country. Can you help me understand why? Can you help me understand why a government would want to keep people inside of their country that don't want to stay there? I would imagine that they would not be very productive people. That they would not really contribute much to the society if they were dissatisfied with the living conditions there.

Why does the government want to keep people in?

Reverend GALDAU. Mr. Chairman, I would dare to say that these people have a training, the Communist training. For these reasons they like to see people suffering. They are not people like you and probably me and others. They are people who are sadistic in their nature, because otherwise nobody can explain why. It is very difficult for me to understand, because the Romanian people were very good people until the communists came to power.

Now, some of the Romanian people are so sadistic that I cannot understand any more. Why you can kill your own brothers, but before killing your own brothers, you just let them suffer as much as you can. And this is one thing that I cannot understand.

It is not in their interest. It is not in nobody's interest. But is a kind of sadistic attitude of life which has nothing to do with constitution, with human rights or religious freedom or anything of the kind. I am sorry to say this, but this is what I believe very strongly.

Mr. Abbe. Could I add something to what Father Galdau said? I think there are several reasons. One I think it is similar to the idea that the Duke wants to have as many serfs working on his land as possible.

There is a desire there to have as many people working as possible, whether slave labor or not. I think a second reason is that if individuals leave, it is an embarrassment to the regime, even if the reason they are leaving has nothing to do with the choice of regime, but is only because they want to be together with their brothers or mothers in Tel Aviv. It still will be interpreted by many people as meaning they were unhappy in Romania.

The third reason I heard which I think is somewhat distressing is the attitude that if there are 30,000 or 40,000 Jews who want to leave Bucharest for Tel Aviv and the Romanians allow them all to leave in 7 or 8 years then Romania would have very little left to bargain with the United States.

If they let them leave at a rate of only 1,000 a year, then Romania can continue for 32 years, telling the American Government, you want something from us and we have something you want. You want freedom for Jews? Well, we want trade from you. I tend to think that that is the most unfair, gross thing to do for Romania, to bargain with human lives. Many Jews I met in Romania said to me it would be wonderful if you can increase the number who get out each year, but one of the reasons the Romanians are reluctant to do that is because they have a trading vehicle here, and as long as they can stretch it out, they will drag it out.

It is extremely distressing. I would hope this committee would short-circuit that by insisting on as high an emigration as there was previously so that in seven or eight years these Jews would be out of there, they would not be a pawn in the trading procedures of the Romanian Government.

Mr. Birnbaum. I could continue to elaborate on the discussions of the two previous gentlemen in a general sense, but I prefer to take the opportunity to mention a specific group of cases. The Vatra Dornei group. Twenty-eight years ago, a number of individuals were tried and sentenced. Though they were released after serving 6, 8 years of hard labor, they continued to be punished in various ways.

Every few years some new form of legal punishment was found for them, it is extremely hard for us to understand that kind of thing. But I have the cases and have informed the committee about them for years now. During the late 1950's and early 1960's several dissenters were tried and sentenced in scapegoat trials. They finally received amnesty after years of effort from Washington and elsewhere.

I am asking that now these three survivors of the Vatra Dornei group, Fleischer, Feiden, and Rubinger, who, after 28 years are still being punished, shall finally, in their old age, be allowed to join their families abroad.

One of these people sends me messages almost every week. I plead with the committee to intervene on their behalf that they should be given the same kind of amnesty which the people who had been waiting only 20 years received 2 years ago in 1980.

Chairman GIBBONS. Mr. Abbe, you apparently travel freely in Romania, is that right?

Mr. ABBE. I would not use the word "freely." When I was there, individuals approached me at night and almost struck me. I was seized at the airport because I was carrying back letters to Congressmen and to Senators. I would not use the word "freely" to describe what happened.

When I was in Romania, however, I was in and out of the American Embassy. I was in constant touch with the press. And I went over there with letters from my Congressman, So when they saw this there was a reluctance at that time to throw me in jail, because they knew it would probably make the front pages of all the American newspapers.

However, they tried to discourage me, deter me and frighten other people from talking with me. After I left, they rounded up these people who spoke to me. These people who are now in Israel and with whom I have spoken have told me it was a most frightening experience. When the Congressmen and Senators received copies of the letters given to me, they got on the telephone and they called the Romanian Ambassador and complained. The Romanians were able very quickly to grant exit visas to these people and enable them to get out after the Congressmen intervened. I mention this because I cannot accept the argument the long procedure is due to the Romanian bureaucracy, I cannot see hiding behind a bureaucracy. For a country to say to us we cannot comply because we have a disastrous bureaucracy, we can't comply with the Helsinki Accord for unification of family because we have this disasterous bureaucracy. This does not constitute a valid excuse. This does not constitute justification for why this country should be allowed to receive trade privileges from the United States.

I cannot understand this as a valid excuse or rationalization.

Chairman GIBBONS. Had you been there before that time?

Mr. ABBE. Yes. I was there before that time. The time before that I did not go with the intention I went with the last time.

On my first trip there I was asked by a number of people to help. I came back to the United States and went to speak to Congressmen and Senators. They intervened, with the Romanian Government and within several months the people I had been asked to help were all in Israel. After that time I started receiving letters and telegrams from people all over the world asking if I could please to help their brothers and sisters to leave Romania also.

At that time when I spoke with Congressmen and Senators, the information I had with respect to a number of these cases was scant and it was necessary to get additional information. However, these people cannot write to America so easily and they can't phone. In order to provide additional information to the Congressmen and Senators so they could know what had happened to these people I went back to Romania. While I was there, I met with the individuals who had been writing to me and with their friends and others who had heard that maybe I would be able to help them. I was harassed and the individuals with whom I had spoken were harassed even worse.

There is such a great fear in Romania that individuals do not know if their neighbor wants to leave or does not want to leave. People are afraid to tell their closest friends they have applied to leave.

It is in many ways worse than the situation facing Jews in the Soviet Union because a Jew who wants to leave Romania is afraid to talk to another Jew about this. This fear runs through everything they have to do.

Therefore, it is very, very difficult for these individuals to apply for an exit visa. So when you hear of a backlog of hundreds and hundreds of cases, please recognize that it is only a small fraction of those who really want to leave because the others are too frightened to take that first step.

Chairman **Gibbons**. Are the other members of the panel able to travel in Romania? Have you traveled in Romania recently? Either one of you?

Mr. **Birnbaum**. I am in constant touch with people in Romania. As I say, I receive information on a daily basis. I don't have to go there.

Reverend **Galdau**. I cannot go to Romania because I have been a broadcaster to Free Europe with my religious services for 27 years. This makes it very difficult for me to go there because I know I would be hanged or get something else very easily.

The Government of the United States won't do anything for me. So the State Department and I myself know that I would not go there because, as long as these people exist there, I have nothing to do but I am in permanent touch with the Romanian refugees I brought to this country, over several thousands of them.

I have done everything in my power to help them. As a matter of fact, I never had a penny. I did it on my own signature. I am very grateful to the U.S. Government that they accepted my signature to bring them over.

Chairman **Gibbons**. Mr. Jenkins?

Mr. **Jenkins**. Mr. Abbe, obviously we are getting different testimony and different opinions from groups interested apparently in the same final objective, to make sure that people have the freedom to emigrate.

Let me ask you this because I don't understand exactly your earlier statement. Is it your contention that all of the remaining Jews in Romania with few exceptions want to emigrate?

Mr. **Abbe**. No. That is not true. I would say based on my conversations that probably more than half of the Jews who are in Romania wish to emigrate. There are older Jews who do not wish to emigrate. The overwhelming percentage of the younger Jews do wish to emigrate. Therefore I feel, based on the information I have received, that of the 60,000 to 70,000 Jews who are currently in Romania, if the doors were opened tomorrow, most of those people would leave the country.

Most of them have a very large proportion of their family currently living in Israel. They would like to be living there with them. If there was no harassment and they were free to leave, most but not all would leave.

Mr. **Birnbaum**. Mr. Chairman, I have to add to that. My experience has been slightly different in the sense that I find that family members, the younger members are going on ahead and are followed by older members. It is natural for an older member to want to stay in a place he lived all his life. Until he feels secure, until his children are out and have reached a safe haven, then he will join them.

I would say that a very considerable proportion of older people would leave and would leave very quickly if the opportunities were provided for them. I don't have any doubt whatsoever about this.

People inform me that they know scarcely a younger person who is not making some kind of plan or other to leave Romania sometime, somehow.

Mr. JENKINS. If they all want to leave anyway, I don't understand why one Jew would be fearful of telling another Jew that he wanted to leave.

Mr. BIRNBAUM. The nature of the———

Mr. ABBE. The problem that exists is that there is a very large spy network within Romania and that no one is quite sure of whether another individual is somebody he can trust.

Over many years that fear has been implanted in them. When I spoke with some individuals, they would ask me to help their neighbor also, but there were situations where individuals did not know that their neighbor was applying and they were afraid to confide in anybody.

It was a strange situation that because of my reputation or because of the fact people had heard I had helped their family, they would talk to me, but they wouldn't talk to their neighbor for he couldn't help them anyway and might be a spy.

Once they started the application procedure, you would think they would be more willing to talk to their neighbor about it, but even at that point there is such fear within the community of harassment, such as loss of jobs and being followed, that there is no desire to discuss their application to leave. There is no purpose in it.

Based on what Mr. Birnbaum said—I don't want to give the impression the older Jewish people don't want to leave. I do want to give the impression there are a number of older people who won't leave and there are a number who will.

Amongst the younger people, the desire to leave is overwhelming.

Mr. JENKINS. You assist these people, Mr. Abbe, on just an individual basis or with a group? Do you do it as part of a law practice for a fee?

Mr. ABBE. No. I am an attorney by profession, but I do not do this for any fees. I must tell you the extent of my assistance really lies in my coming to you for help. What it basically is is that I am a funnel of information to the extent I can provide you with it. I plead with you to intervene with the Romanian Embassy and to the extent that Congressmen and Senators intervene with the Romanian Embassy on individual cases this has been helpful and this is extremely appreciated. However this help has been on an individual basis for 50 to 100 cases that I may personally hear about each year. I think that cutting off MFN, however, would help to resolve the problem for tens of thousands of Jews who want to leave instead of only the few individual cases I hear about. So much effort that is involved now in helping one person like Mr. Ratescu who has been waiting 12 years for an exit visa.

Mr. Jenkins. On that particular case, what is the reason for not permitting him to emigrate?

Mr. Abbe. I will tell you the background on that case to the extent I know it.

Mrs. Ratescu's father is a high official in the Romanian Government. There is a stigma I understand in the Romanian Government if a member of your family leaves the country.

Mrs. Ratescu's parents are not speaking with the top Romanian Government officials to prevent her and her family from leaving because it may have an effect on their particular position.

It is not the first time this has happened. However, in the past when this did happen in connection with several other cases and Congressmen and Senators intervened on their behalf and said this is not a justification for preventing emigration, the Romanian Government has allowed the individual to leave.

It is my hope that you will fight for this family so that they can leave and not allow the parents of one of the parties who is afraid of his position to be able to prevent the rest of his family from leaving the country.

Mr. Birnbaum. Mr. Chairman, we had a similar case earlier this year with another case, a man called Andrei Illie. At the beginning of this year he went on a hunger strike. His uncle was a very high Romanian official. There was a worldwide outcry. He was released very quickly. Let's hope that as a result of the efforts of this committee, the Ratescus will be released. There is hope. You can't say it can't be done. We have seen it done.

Mr. Jenkins. Thank you, Mr. Chairman.

Chairman **Gibbons.** Mr. Frenzel?

Mr. Frenzel. Thank you, Mr. Chairman.

Gentlemen, I thank you for your testimony. I know each of you has worked very hard in this area and I have received a fair amount of communication from Mr. Abbe. I know he has been involved in the hard work. Our problem is that there are others who have testified that the best way to get the job done is to do it the way Mr. Spitzer suggests. Your testimony is different. You believe that there is a different path to the end of getting people out.

I wonder if you will explain again, Mr. Birnbaum, you indicated what would you have us do with this resolution?

Would you have us disapprove it? Do you think that is the best way to get results?

Mr. Birnbaum. I have to say with respect that Mr. Spitzer, who obviously we all recognize is an honorable gentleman, is not in daily touch with the emigration situation. My knowledge is based on daily contact.

Mr. Spitzer has a cozy relationship with various official authorities. That does not change the nitty gritty situation with which we deal with every single day. I have to tell you—and this is a critical point—the 1979 agreement, it is called the Heady Agreement—arranged between two Jewish officials, Mr. Spitzer and Mr. Moses, and Ambassador Bogdan, was a one-page document which was never signed; the Romanians never signed it nor announced it publicly.

Its provisions were never carried out, and for the year it was signed, 1979, the rate of emigration was the lowest of a decade! It was a diversionary maneuver at that time when we had seriously weakened the Romanian position in Congress. It was a diversionary maneuver, and the Romanians did not keep it, did not implement it.

Yet, since that time all State Department letters to Congressmen have discussed "the mechanism" which exists as a result of the Heads of Agreement of 1979 which nobody signed, and was never announced by the Romanians. The State Department speaks of a mechanism which permits continuous dialog between the United States Jewish organizations and the Romanian Jewish community. That is not true. We did not receive the names and figures of Jews registered to emigrate for 9 months from October 1981 till June 1982, and then not from the Jewish office in Budapest. All these months there was no communication. They did not send us the lists and so we worked with figures which were extremely incomplete. We came up with figures 652 registrants which Mr. Spitzer mentioned. I don't know why he had to mention these out-of-date figures as he himself finally received the more up-to-date lists—till May 29, 1982—a couple of weeks ago which showed 1,400 names.

In addition to the 1,400 names, we know that approximately 50 percent of the people who arrive in Israel or who are granted approvals in Bucharest are not on the Jewish lists. So we can say with great certainty that there are something like 2,000 Jews formally registered with the Romanian authorities. This does not include people who are going into the pre-application process and haven't gotten beyond that. This does not include the people sent away from the police station without any kind of registration. This doesn't include the many thousands of people who for obvious reasons are afraid to apply.

The fact of the matter is, Mr. Frenzel, that a policy like that of the last 8 years has not succeeded. Mr. Spitzer's cozy relationship with these official authorities is irrelevant. We have had to drop in Jewish emigration from 4,000 a year in the years before MFN was granted to the current 1,000 a year.

We know from our daily experience that there are great numbers of people who wish to leave. So we have not been following a successful policy, a response to real emigration needs.

Mr. Chairman, I sent to the committee some weeks ago a list of 10 points which we should negotiate on, which we should talk to the Romanians about; specifics, not exhortations to the Romanian Ambassador, please let us do better this year.

Ten concrete points which we should talk about. Then we may get some progress.

If the Romanians believe that we do not really mean business, that we will never pass a Resolution of Disapproval, this accounts for the kind of trouble which we have at present, where we haven't had a single concession or a single gesture of good will so far.

Mr. **Abbe**. Mr. Frenzel?

Mr. **Frenzel**. Thank you very much.

Mr. Abbe, do you suppose you could do it in a little less time?

Mr. **Abbe**. Yes, sir. There is a tendency when you have helped an individual to have a great feeling of pleasure and satisfaction at having done that. I am sure Mr. Spitzer has contacted the Romanian Ambassador and has been able to get some people out. Perhaps because of this relationship that he has with the Romanian Government on the few people that he has been able to help get out this way, it gives him the encouragement to feel he doesn't want to play with the MFN.

I, unfortunately, have completely different attitude on this question. Yes, your committee has helped us get people out, but I don't like the fact I have to come back every year to plead on individual cases when if the door was open thousands could come out. Therefore, to rely on the close relationship that may exist and may have helped Mr. Alexandroiae and his family, or several others whose cases I have brought you, is not the resolution of the problem.

If you look at Mr. Spitzer's written testimony, which I saw when I came in here, you will see he complains about the preapplication process; he complains about all of the deterrents to free emigration. There is not much disagreement on that. The only question is he is willing to listen to the Romanians for yet another year and see what happens because they have helped turn on a few individual cases.

My feeling is that procedure hasn't worked. We have tried it for a few years. Mr. Spitzer was one of the persons who agreed to that 1979 agreement, but there has been no improvement since then.

Although I know he may feel a certain satisfaction from certain of the individuals he has helped to bring out, I don't feel we can rest on that basis.

Mr. **Frenzel**. I thank you very much.

I would only say in response that Mr. Spitzer thinks he has an arrangement that is working satisfactorily. He has spent a fair amount of time on it. We have worked with him on it. He represents a fairly large organization which I think we can expect to be particularly interested in immigration, at least of Jews over there.

I also note that all of you complain about a static number of people, a steady number of immigrants each year still is an increasing percentage of the population that is there that wants to emigrate, is it not?

Mr. **Abbe**. When you have 60,000 to 70,000 people in the country and you were allowing out 4,000 6 or 7 years ago, and for the last couple of years you are allowing 1,000 out each year, to say 1,000 each year is a slightly better percentage of the number remaining—that is not a satisfactory resolution of a problem. I am sorry. A satisfactory resolution of the problem would be when we can have open doors so these people can leave.

With all due respect to Mr. Spitzer who, in all sincerity is trying to help people, there is a difference in attitude. We are very unhappy with 1,000 a year when there were so many tens of thousands who would like to leave, when they were allowing out 4,000 a year a few years ago.

If this committee were to bargain more efficiently, more effectively, I think the Romanian Government would allow out a significantly larger percentage.

That is why I feel this committee should take a much more stronger stance in its negotiations with the Romanians.

Mr. **Birnbaum**. We have nothing to be afraid of, Mr. Frenzel.

Mr. **Frenzel**. I agree. I would simply want to comment on the list you sent me, Mr. Abbe, I notice there were a number who had been released some years before. These lists are not always exactly accurate.

Mr. **Abbe**. Congressman Frenzel, I have tried my best. I would be glad to hear from you about those you believe were released years before. I do not believe that could have happened.

Also I would like to point out to you to please draw a distinction between approvals which may have been granted years ago and leaving the country. I refuse to leave a case because the Congressman writes back to me and says the individual has received an approval and I have a letter attesting this from the Romanian Ambassador. Until an individual leaves the country, I do not feel an approval is enough.

Mr. **Frenzel**. I agree with you it is a good thing you don't close the case. On the other hand, I do think the approval of the visa is a significant step in a case. It is pretty hard to get out without one.

Mr. **Abbe**. I would like it if this committee would take the situations of all the individuals to whom the Romanian Government is giving approvals and say to the Romanians we will only be satisfied when these people have left the country.

Mr. **Birnbaum**. The post approval area is also one which is part of my 10 point program of emigration discussion, Mr. Frenzel. It is an irregular process and very much a manipulated process.

This is precisely one of the areas which I would like you to look into.

Mr. **Frenzel**. I thank the panel for its testimony.

Chairman **Gibbons**. Thank you very much.

Mr. **Abbe**. Thank you, sir.

Mr. **Birnbaum**. Thank you, sir.

Chairman **Gibbons**. We next have a panel of witnesses composed of Ms. Nina Shea, and Mr. Frank Koszurus.

STATEMENT OF NINA SHEA, PROGRAM DIRECTOR, INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

Ms. **Shea**. As program director of the International League for Human Rights, I am delighted to have the opportunity to address this subcommittee.

The International League for Human Rights is one of the oldest of the general purpose nongovernmental international human rights organizations.

Founded in 1942 and based in New York City, we work on a broad range of human rights issues in all countries of the world on behalf of individuals of all denominations.

The league began to turn its attention to Romania in the late seventies after we started receiving what has become a steady stream of personal appeals from Romanians not allowed to emigrate or from their close relatives in the West.

Their appeals were so numerous and the problems they encountered so distressing that the league established a family reunification project to assist them.

The project whose caseload now amounts to many hundreds, systematically documents each case so that we may intervene on their behalf.

Mr. Chairman, I would like to submit for the record a list of 275 Romanian cases which our documentation indicates are still unresolved.

Chairman GIBBONS. We will be glad to get that for the record.

Ms. SHEA. In addition to the terms of the Jackson-Vanik amendment, the right to leave one's country is a basic provision of international human rights law found in the universal declaration of human rights, the international covenant on civil and permanent rights and the Helsinki accords.

Although the denial of the right to leave a country may not seem as compelling to some observers as arbitrary arrest and detention, psychiatric abuse, property confiscation or job discrimination, the league has found that applicants for emigration in Romania often experience these very same abuses in reprisal for their application to leave.

In addition, denials of the right to leave often entailing the separation of families, can result in very real and distressing conditions and create much human suffering.

The league wishes to present three recommendations for consideration by Congress before action is taken on the Presidential waiver of section 402.

One, that the Romanian Government simplify, regularize, and then widely publicize the reformed procedures for applying to emigrate in order to eliminate the arbitrary and abusive practices which the league has found to be pervasive in the process which now exists.

Two, that the Romanian Government put an immediate stop to the cruel campaign of intimidation and unwarranted reprisals directed at would be emigrants.

Three, that the Romanian Government resolve a number of hardship cases outlined in our testimony. We are also concerned about the low level of emigration permission granted as evidenced by the fact that we are aware of only 11 resolutions out of the 151 new cases presented to the league since we last testified before this subcommittee 1 year ago.

The process for obtaining visas and passports has not substantially changed from previous years. It remains complex, arbitrary and fraught with bureaucratic delay. Our continuing caseload includes nine instances where for more than 15 years the Romanian Government has refused to permit certain families to emigrate. In two of these cases the efforts to obtain permission began in 1958.

A major portion of the league's caseload represents individuals who wish to emigrate to rejoin family members living abroad. The prolonged delays in processing applications and repeated rejections that often follow in family reunification cases are, in themselves, the cause of much human suffering.

Much of the league's documentation involves cases where children are separated from parents, husbands from wives and other close family members from their relatives.

The league has found that even under the most compelling circumstances authorities have withheld permission to leave in family reunification cases.

Several appeals to the international league have been made on behalf of sick, aged relations in Romania.

In testimony to the league, Katharina Stoichitia described her ailing 84-year-old mother's unsuccessful effort to leave Romania to join her. "My mother cannot care for herself. My brother died last year. She is alone. Yet the authorities keep refusing to let her leave. They even threaten to take away her apartment. She is so old and frail. Shouldn't a child be able to care for her aging parent when she falls ill? Why don't they let her go?"

In addition to the problems and frustrations encountered during the application process itself—essentially a runaround—a large number of applicants are forced to suffer other forms of harassment.

These take many different forms. Confinement to psychiatric hospitals, job dismissal, demotion and transfer, expulsion from schools and universities, house searches and mail and telephone surveillance.

In analyzing the aggregate figures of emigration, it is easy to overlook the human dimension. The appendixes we have submitted provide such detail.

I would like to take this opportunity to describe one example. Mariana Grigoras, along with her 6-year-old daughter, applied for an exit visa in February 1980 to rejoin her husband Stelian now living in Chicago. Two years later, a rejection came. Subsequent requests have been similarly rejected, all without explanation. Mariana and her daughter have had to undergo severe hardships for trying to leave Romania.

Dismissed from her job and not permitted to hold another, she is unable to provide for her child's needs. She is denied medical assistance and her daughter is not permitted to enter school.

The league has noted that Mrs. Grigoras husband is the son of a former Romanian Minister of Justice. We ask whether this may not be the reason for the unwarranted denials.

The league is not in a position to comment definitively on the overall number of persons seeking to emigrate from Romania, nor on the total number of Romanians who emigrate to any particular country.

We limit our analysis to those cases brought directly to our attention by would-be emigrants or their families.

As we previously stated, we are disturbed that only 11 out of 151 newly documented cases have been resolved this year. We have closely monitored the work of other organizations active in this area.

We find our caseload reflects a widespread and systematic pattern of abuse of the right to emigrate freely.

The resolution of situations revealing particular hardship such as the nine long-term cases and those outlined throughout this testimony and in appendix A(1) is a critical indicator of the Romanian Government's commitment to the right to emigrate freely.

To reiterate, we recommend that Congress weigh progress on these cases before taking action on the Presidential waiver.

This concludes my statement, Mr. Chairman.

[The prepared statement follows:]

STATEMENT OF THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

The International League for Human Rights is one of the oldest of the general purpose non-governmental international human rights organizations. Founded in 1942, and based in New York City, we work on a broad range of human rights issues concerning countries in all regions of the world. Some current League projects address human rights violations in such diverse countries as Paraguay, Chile, East Germany, South Africa, Taiwan, and Northern Ireland. The League also works closely with a network of forty affiliates in some thirty countries throughout the world.

In the late 1970s, the League began to receive a steady stream of personal appeals concerning emigration from Romanian citizens and their close relatives living abroad. Their appeals were so numerous and the problems they encountered so distressing that the League established a Family Reunification Project to assist them. The Project, whose caseload now amounts to many hundreds, systematically documents each case so that we may intervene on their behalf. (Attached to this statement are Appendices which présent 275 Romanian cases which are documentation indicates are still unresolved. Appendix AI presents details about a selection of cases from the overall Project which reveal circumstances of particular hardship).

Not only is the right to emigrate a requirement under the terms of the Jackson-Vanik amendment, but the right to leave is also guaranteed in basic international human rights instruments. Article 12 of the International Covenant on Civil and Political Rights, to which Romania is a party, provides that "Everyone shall be free to leave any country including his own." Family reunification is also an important provision of the Final Act of the Conference on Security and Cooperation in Europe ("the Helsinki Accords").

Although the denial of the right to leave a country might not seem as compelling to some observers as such human rights violations as arbitrary arrest and detention, psychiatric abuse, property confiscation, or job discrimination, the League has found that applicants for emigration in Romania often experience these very same abuses in reprisal for their application to leave. In addition, denials of the right to leave, often entailing the separation of families, can result in very real and distressing conditions and create much human suffering.

THE PROCESS FOR APPLYING TO LEAVE ROMANIA

The process for obtaining visas and passports has not substantially changed from previous years. It remains complex, arbitrary, and fraught with bureaucratic delays. (This process has been described in detail in previous testimony before this Committee.)

The League has found that there is no set procedure for obtaining the application forms. In some cases, authorities have refused to issue them altogether (cf. Ernst O. Schneider, Appendix AI. No.35). In other cases the applicants are misdirected from one office to the next and even from one city to the next before reaching the proper authorities (Possmayer family, Appendix AI. No. 26). In cases where the forms are finally acquired and submitted, the applicant is likely to encounter other obstacles resulting in further delay. The League has received testimony from applicants that unmarked—blank—pieces of paper are sometimes used for the preliminary application form so that, in the event it is lost, the applicant has no way of demonstrating that one had ever been submitted. Another applicant testified that a simple misspelling in the application has been used by authorities as an excuse to begin the entire procedure anew.

The International League for Human Rights believes that the Romanian government should be urged to simplify, regularize, and once it is revised, widely publicize the application procedure to eliminate such arbitrary and abusive practices.

REPRISALS AND SUFFERING EXPERIENCED BY APPLICANTS

In addition to the problems and frustrations encountered during the application process itself, a large number of applicants are forced to suffer other reprisals and forms of harassment in what amounts to a cruel campaign of intimidation by the government. These take many different forms.

The League has found that prolonged delays in processing applications and repeated rejections that often follow can be the cause of much human suffering. Many of the League's cases involve persons who wish to rejoin close family members abroad; some of these are described in detail in Appendix AI. Of this sample group, thirteen involve separation of children from their parents (Betschner, Boemches, Cherebetiu, Crestels, Deffert, Holz, Koszar, Krauss, Manolescu, Possmayer, Stoichitia, Ziegler); five cases concern separation of husbands from their wives (Fuchs, Grigoras, Koos, Helga Mueller, Vrabie); eighteen represent other close family members who are separated (Banu, Bartolf, Czako, Dimitrescu, Goschy, Heib, Lazar-Scorteanu, Loch, Metz, Mignea, Richard Mueller, Preisach, Reng, Schneider, Sfintescu, Stark, Urban, Weinhardt).

Even under the most compelling circumstances, authorities have withheld permission to leave in family reunification cases. Several appeals to the International League have been made on behalf of sick, aged relations in Romania. In one case, Minerva A. Stoichitia (Appendix AI. No. 39), an elderly woman, tried to emigrate to visit her only living child and to receive more advanced medical attention for her heart ailment; the authorities refused permission for her to leave. In other cases, Romanians are prevented from leaving their country to rejoin their parents abroad who are ailing and require care. (Annemarie Crestels, Appendix AI. No. 8). In another case, Ioan Novac (Appendix AI. No. 25), a Romanian who emigrated to West Germany, suffered a severe stroke after his arrival there and is currently hospitalized. His wife has applied to Romanian authorities for permission to visit him, perhaps for the last time in view of the seriousness of his condition; her request has been refused.

In many of the League's cases the applicants have been subjected to severe reprisals. These measures include confinement to psychiatric hospitals, job dismissal, demotion and transfer, expulsion from schools and universities, house searches, and mail and telephone surveillance. These reprisals are in themselves violations of international law. In the case of Ioan Sachelarie (Appendix AI. No. 32), a professor of language and literature, the applicant was committed to a psychiatric hospital where neuroleptic drugs were administered against his will. The authorities, declaring him mentally unfit, insinuated that he was subject to "emigration fantasies."

In a number of the cases reported to the League, the applicant was dismissed from employment after submitting an application for emigration. Ecaterina Dimitrescu (Appendix AI. No. 10), a teacher, lost her job after twenty-three years. Ioan Sacherlarie (Appendix AI. No. 32), was dismissed from his professorial post a few days after applying to leave in 1977, and has been unable to find other employment in his field. Following his request for preliminary application forms in 1981, Mihai Dan Manolescu (Appendix AI. No. 31) lost his job. Maria Koos (Appendix AI. No. 15) was fired and then deprived of unemployment benefits after applying to leave. In another case, Alexandru Bogdan (Appendix AI. No. 6), a highly qualified aerospace engineer, was fired from his job after requesting permission to emigrate. Alina Laza-Scorteanu (Appendix AI. No. 17), a teacher, received notice of dismissal which pronounced her ideologically unfit to teach high school students because of her desire to leave Romania.

Such dismissals have distressing consequences. Mariana Grigoras (Appendix AI. No. 14), a Romanian woman whose husband lives in the United States, has been unable to provide adequate financial support for her young daughter because she was fired after requesting permission to rejoin her husband. They have also been denied medical assistance, and the child is not permitted to attend school. The League has noted that her husband is the son of a former Minister of Justice, and questions whether this may not be a reason for the continued separation of the family.

Even more frequently, those who wish to leave Romania are demoted, sometimes to perform menial labor which is far below their qualifications. (Ioan Banu, Heib, Claudiu Mignea, Stefan Stefanescu, Cornelia Sfintescu, Hans Ziegler—Appendix AI). Several others report transfers to jobs 100–250 kilometers away, resulting from their efforts to emigrate (Czako, Dimitrescu, Fuchs, Stefanescu, Urban, Vrabie—Appendix AI). Because other members of the household are unable to secure work, or the family is unable to find housing in the new location, these families are then forced to live apart within Romania. This situation is all the more acute when it involves a single parent household and the young children must remain behind alone (Vrabie—Appendix AI. No. 4).

Emigration applicants also report denials of access to education. The children of two families were denied admission to school after their family's application to leave the country was filed (Grigoras, Lazar-Scorteanu—Appendix AI). In addition, academic degrees have been withheld from students who have applied to emigrate (Deffert, Possmayer—Appendix AI).

Other forms of harassment encountered by Romanian citizens who wish to resettle abroad include house searches (Sachelarie—Appendix AI. No. 32), interrogations by police (Stefanescu—Appendix AI. No. 37), and being subject to surveillance (Manolescu—Appendix AI. No. 31). In one family even the children were interrogated (Sandtner—Appendix AI. No. 33). Others report interference with written correspondence (Koos, Sachelarie, Sandtner—Appendix AI) or telephone conversations (Stefanescu—Appendix AI. No. 37).

The International League for Human Rights decries such unwarranted reprisals against persons seeking to exercise their right to leave the Socialist Republic of Romania. We ask that the Romanian government put an immediate stop to these measures, and facilitate the emigration of those of its citizens who seek to leave.

PERMISSION TO EMIGRATE

The League is not in a position to comment definitively on the overall number of persons who seek to emigrate from Romania, nor on the total of Romanians who immigrate to any particular country. We limit our analysis to those cases brought directly to our attention by would-be emigrants or their family members on which we have obtained further confirmation and documentation.

Our continuing caseload includes nine instances where, for more than 15 years, the Romanian government has refused to permit certain families to emigrate (Appendix AI: Bartolf, Deffert, Holz, Loch, Novac, Possmayer, Reng, Urban, Weinhardt). In two of these cases (Appendix AI: Holz, Possmayer), the efforts to obtain permission began in 1958.

We have closely monitored the work of other organizations active in this area. We find that our caseload, although not exhaustive, reflects a widespread and systematic pattern of abuse of the right to emigrate freely.

The resolution of situations revealing particular hardship such as the nine long-term cases and those outlined throughout this testimony and in Appendix AI is a critical indicator of the Romanian Government's commitment to the right to emigrate freely. We recommend that Congress weigh progress on these cases before taking action on the Presidential waiver of Section 402.

Chairman **Gibbons**. Mr. Koszorus.

STATEMENT OF FRANK KOSZORUS, JR., ATTORNEY, INTERNATIONAL HUMAN RIGHTS LAW GROUP

Mr. **Koszorus**. I appreciate the opportunity today to appear before the Subcommittee on Trade on the extension of the waiver of the Trade Act of 1974 for Romania.

I am testifying on behalf of the International Human Rights Law Group, which is a nonprofit legal organization established by the Procedural Aspects of International Law Institute in September 1978, with the assistance of funding from the Ford Foundation and Rockefeller Brothers Fund. Assisted in its work by lawyers, paralegals and law students, we provide legal assistance to individuals and nongovernmental organizations on a pro bono basis and offer educational programs.

For over 4 years, the Law Group has monitored the Romanian Government's human rights record. Its emigration policies are extremely restrictive. Severe and repressive controls are exercised by the Communist Party over civil and political rights and economic decisionmaking with police harassment a common feature of everyday life. Oppressive measures are directed against its Hungarian minority which is increasingly subjected to a systematic policy of forcible assimilation. This testimony touches all three aspects of Romania's record and weighs them against the requirements of section 402 of the Trade Act of 1974—hereinafter Jackson-Vanik amendment.

The underlying purpose of the Jackson-Vanik amendment is to promote fundamental human rights. In fact, it begins with the phrase: "To assure the continued dedication of the United States to fundamental human rights," and therefore clearly states that it is concerned with the general issue of human rights as well as with the specific and articulated question of freedom of emigration. This interpretation is not only consistent with the language of the act, but also with the universally accepted standards of human rights. Fundamental human rights cannot be narrowly restricted and confined to the right of emigration. The right of emigration certainly is an integral part of an individual's fundamental freedoms, yet it is merely one of a host of other rights. Although individuals may seek the safety valve of emigration when conditions become so unbearable that they can no longer foresee a future for themselves, many do not leave their homeland. Human rights encompass those who wish to leave their countries as well as those who remain behind. Thus, the language of the Jackson-Vanik amendment itself as well as the internationally accepted norms of fundamental human rights, mandate that a full review of a country's human rights practices take place before most-favored-nation's treatment is extended. In this respect, Romania's deplorable human rights record justifies a suspension of MFN.

Turning first to the question of the general human rights situation in Romania, even a cursory review reveals a dismal situation. The Government's gross and persistent human rights violations include the physical and psychological abuse of political prisoners; intolerable conditions of confinement for prisoners; police harassment, arbitrary arrest and imprisonment exacerbated by the lack of effective legal remedies for persons subjected to such treatment; denial of a fair public trial; forced entry into homes in cases of political dissidents; the imprisonment of those seeking to form free trade unions; and the harassment and persecution of religious groups and their members. An example of the latter is the fate of Klaus Wagner, a Christian from the Brethren Church, who, because of distributing religious literature from the West, was arrested, beaten, tortured, and sentenced to 6 years in prison in 1980.

With the possible exception of the decrease of the barbaric practice of confining prisoners and dissidents in psychiatric hospitals, conditions have deteriorated since MFN has been extended to Romania.

In addition to the deprivations of these civil, political and religious rights suffered by the general population, the members of Romania's Hungarian minority—the largest national minority in Europe—face an additional host of oppressive policies which are aimed at forcibly assimilating and destroying their culture. These policies are intensifying and include the closing of Hungarian language educational institutions at the elementary and high school levels and the elimination of Hungarian universities, such as the Bolyai University in Cluj; the suppression of Hungarian and other minority languages; curtailment of human contacts and cultural exchanges as well as the cultural opportunities within Romania; harassment of churches and religious groups and the confiscation of the archives; falsification of census figures and history; and the persecution of individuals who raise their voice against political, social, cultural, and religious discrimination; with the most outspoken individuals being condemned to forced labor camps. The denial by the Romanian Government of many of the fundamental human rights, such as a right to liberty and security of person, serves to perpetuate the systematic violation of minority rights and enables the Government to implement its policy of discrimination and forcible assimilation of Romania's Hungarian and other minority groups.

Both the general suppression of human rights as well as the violations endured by Romania's Hungarian and other minorities solely because of their ethnicity justifies withholding MFN until Romania expresses a genuine intent and actually takes steps to conform its behavior in dealing with its citizens to the minimum yet binding international standards of human rights—standards freely acceded to by Romania.

The Jackson-Vanik amendment, however, goes on to proscribe the extension of MFN to any nonmarket economy country which "denies its citizens the right of opportunity to emigrate."

Romania's emigration practices fall well short of the standards enumerated by the Jackson-Vanik amendment and by the international instruments acceded to by Romania. This is reflected by the Department of State's 1982 country reports on human rights practices in which it states that Romania

> * * * attempts to discourage emigration through administrative, social and economic constraints which can often impose a heavy burden upon individuals, including loss of job, demotion, reductions in salary and other forms of discrimination during the lengthy period when an application for emigration is pending.

This policy is exacerbated by the strict and narrow interpretation of the already-restrictive emigration laws. Although emigration to the United States has slightly improved, Romania's emigration record remains poor and the conditions to which would-be emigrants are subjected are severe.

The cases before the Law Group, a sampling of which is provided to the Congress and attached hereto as exhibit A, which we would like to have part of the record——

Chairman GIBBONS. How long is it?

Mr. KOSZORUS. The exhibit is no longer than three pages.

Chairman GIBBONS. We will certainly put that in the record.

Mr. KOSZORUS. Demonstrates the severe deterrence of Romanian citizens seeking to emigrate from that country to the United States. They demonstrate the persecution of family members of those, who, after scaling seemingly insurmountable obstacles, are able to emigrate; the harassment and persecution of those seeking to emigrate, for example, loss of jobs, demotion, police harassment; the repeated denials of exit visas to those seeking to emigrate, the denials of application forms to those seeking to emigrate; and the denials of requests to visit with family members abroad.

Although the only justification for leaving Romania which is recognized by the Government is family visits or family reunifications, the cases before the Law Group all involve families divided between the United States and Romania and thus reveal the unwillingness of Romania to even permit its citizens to exercise their very limited right of family reunification.

In conclusion, until Romania shows a real willingness to facilitate freedom of emigration and family reunification in accordance with the Helsinki Final Act, the United States should not grant Romania most-favored-nation treatment. To do so would be in violation of our laws. The Law Group, in reaching this conclusion, does not seek to adversely affect United States-Romanian relations; rather, it urges this committee to send out a clarion call to Romania that the United States is not indifferent to the fate of countless families denied their right to reunification, in particular with their family members in the United States. Nor is the U.S. Government indifferent to the fate of Romania's oppressed population, including its 2.5 million Hungarian minority, and will insist on respect for fundamental human rights as a condition for preferential treatment by the United States.

This is not only morally appropriate, but it is required by section 402 of the Trade Act.

Thank you, Mr. Chairman.

[The prepared statement follows:]

STATEMENT OF THE INTERNATIONAL HUMAN RIGHTS LAW GROUP, WASHINGTON, D.C.

This testimony is submitted on behalf of the International Human Rights Law Group which is a non-profit legal organization established by the Procedural Aspects of International Law Institute in September 1978, with the assistance of funding from the Ford Foundation and the Rockefeller Brothers Fund. Assisted in its work by lawyers, paralegals and law students, the Law Group provides legal assistance to individuals and non-governmental organizations on a pro bono basis and offers educational programs.

For over four years, the Law Group has monitored the Romanian Government's human rights record. Its emigration policies are extremely restrictive. Severe and repressive controls are exercised by the Communist Party over civil and political rights and economic decisionmaking with police harassment a common feature of everyday life. Oppressive measures are directed against its Hungarian minority which is increasingly subjected to a systematic policy of forcible assimilation. This testimony touches all three aspects of Romania's record and weighs them against the requirements of Section 401 of the Trade Act of 1974 (hereinafter "Jackson-Vanik Amendment").

The underlying purpose of the Jackson-Vanik Amendment is to promote fundamental human rights. In fact, it begins with the phrase: "to assure the continued dedication of the United States to fundamental human rights," and therefore clearly states that it is concerned with the general issue of human rights as well as with the specific and articulated question of freedom of emigration. This interpretation is not only consistent with the language of the Act but also with the universally accepted standards of human rights. Fundamental human rights cannot be narrowly restricted and confined to the right of emigration. The right of emigration certainly is an integral part of an individual's fundamental freedoms, yet it is merely one of a host of other rights. Although individuals may seek the safety valve of emigration when conditions become so unbearable that they can no longer foresee a future for themselves, many do not leave their homeland. Human rights encompass those who wish to leave their countries as well as those who remain behind. Thus, the language of the Jackson-Vanik Amendment itself as well as the internationally accepted norms of fundamental human rights mandate that a full review of a country's human rights practices take place before Most Favored Nation's treatment is extended. In this respect Romania's deplorable human rights record justifies a suspension of MFN.

Turning first to the question of the general human rights situation in Romania, even a cursory review reveals a dismal situation. As characterized by the Department of State's 1982 Country Reports on Human Rights Practices at p. 856, "Romania is a centralized unitary state. The government exercises strict control over civil and political rights and economic decision-making." Moreover, Romania "has strict limitations on political expression and religious activities." Both the Department of State's report as well as Amnesty International's 1981 Report on Romania beginning at p. 314 documents that government's gross and persistent human rights violations which include the physical and psychological abuse of political prisoners; intolerable conditions of confinement for prisoners'; police harassment, arbitrary arrest and imprisonment exacerbated by the lack of effective legal remedies for persons subjected to such treatment; denial of a fair public trial; forced entry into homes in cases of political dissidents; the imprisonment of those seeking to form free trade unions; and the harassment and persecution of religious groups and their members. An example of the latter is the fate of Klaus Wagner, a Christian from the Brethern Church, who because of distributing religious literature from the West was arrested, beaten, tortured and sentenced to 6 years in prison in 1980.

With the possible exception of the decrease of the barbaric practice of confining prisoners and dissidents in psychiatric hospitals, conditions have deteriorated since MFN has been extended to Romania.

In addition to the deprivations of these civil, political and religious rights suffered by the general population, the members of Romania's Hungarian minority—the largest national minority in Europe—face an additional host of oppressive policies which are aimed at forcibly assimilating and destroying their culture. These policies are intensifying and include the closing of Hungarian language educational institutions at the elementary and high school levels and the elimination of Hungarian universities, such as the Bolyai University in Cluj; the suppression of Hungarian and other minority languages; curtailment of human contacts and cultural exchanges as well as the cultural opportunities within Romania; harassment of churches and religious groups and the confiscation of the archives; falsification of census figures and history; and the conconmittant persecution of individuals who raise their voice against political, social, cultural and religious discrimination, with the most outspoken individuals being condemned to forced labor camps or psychiatric hospitals. The denial by the Romanian government of many of the fundamental human rights, such as a right to liberty and security of person, serves to perpetuate the systematic violation of minority rights and enables the government to implement its policy of discrimination and forcible assimilation of Romania's Hungarian and other minority groups.

Not only has the Law Group found these conditions to exist with respect to the denial of human rights to the general population and national minorities, but they also have been corroborated by a massive body of irrefutable evidence which includes letters and memoranda from Romanian-Hungarian politicians, scholars and intellectuals, scholarly studies appearing in the United States and Europe; communications, statements and studies from groups monitoring human rights violations in Romania; and reports appearing in the mass media.

Both the general suppression of human rights as well as the violations endured by Romania's Hungarian and other minorities solely because of their ethnicity justifies withholding MFN until Romania expresses a genuine intent and actually takes steps to conform its behavior in dealing with its citizens to the minimum yet binding international standards of human rights—standards freely acceded to by Romania.

The Jackson-Vanik Amendment, however, goes on to proscribe the extension of MFN to any non-market economy country which "(1) denies its citizens the right of opportunity to emigrate; (2) imposes more than a nominal tax on emigration or on the Visas or other documents required for emigration for any purpose or cause whatsoever or (3) imposes more than a nominal tax, levy, fine, fee or other charge on any citizen as a consequence of a desire of such citizen or emigrate to the country of his choice."

Romania's emigration practices fall well short of the standards enumerated by the Jackson-Vanik Amendment and by the international instruments acceded to by Romania. This is reflected by the Department of State's Report, supra, in which it states that Romania "attempts to discourage emigration through administrative, social and economic constraints which can often impose a heavy burden upon individuals, including loss of job, demotions, reductions in salary and other forms of discrimination during the lengthy period when an application for emigration is pending." Similarly, the report to the Congress by the Commission on Security and Cooperation in Europe, August 1, 1980 at p. 232 characterizes Romania's policy toward emigration as one of, "discouragement bordering on hostility—(which) has remained unchanged during the past three years. The Romanian state does not recognize the right to free movement, rather it claims a right to control the movement of citizens. Romania regards emigration and foreign travel as privileges the state bestows and asserts that it is each citizens duty to remain in his or her homeland and contribute to its development. Consequently, the laws and regulations governing the movement of citizens out of Romania are designed to restrict, rather than facilitate travel across the borders. Leaving or attempting to leave the country without official permission is regarded as a crime against the state."

This policy is exacerbated by the strict and narrow interpretation of the already restrictive emigration laws. Although emigration to the United States has slightly improved, Romania's emigration record remains poor and the conditions to which would-be emigrants are subjected are severe. In the words of the Commission's report, "the would-be emigrant from Romania must face, seemingly insurmountable procedural difficulties and endure psychological and material pressures imposed by the government to deter him or her from attempting to leave the country."

The cases before the Law Group, a sampling of which is provided to the Congress and attached hereto as Exhibit A, demonstrate the severe deterrence of Romanian citizens seeking to emigrate from that country to the United States. They demonstrate the persecution of family members of those, who after scaling the seemingly insurmountable obstacles, are able to emigrate; the harassment and persecution of those seeking to emigrate, i.e., loss of jobs, demotion, police harassment; the repeated denials of exit visas to those seeking to emigrate, the denials of application forms to those seeking to emigrate; and the denials of requests to visit with family members abroad. Although the only justification for leaving Romania which is recognized by the government is family visits or family reunifications, the cases before the Law Group all involve families divided between the United States and Romania and thus reveal the unwillingness of Romania to even permit its citizens to exercise their very limited right of family reunification. (See Appendix)

Until Romania shows a real willingness to facilitate freedom of emigration and family reunification in accordance with the Helsinki Final Act, the United States should not grant Romania Most Favored Nations Treatment. To do so would be in violation of our laws. The Law Group in reaching this conclusion does not seek to adversely affect U.S. Romanian relations; rather, it urges this Committee to send out a clarion call to Romania that the United States is not indifferent to the fate of countless families denied their right to reunification, in particular with their family members in the United States. Nor is the U.S. government indifferent to the fate of Romania's oppressed population, including its 2.5 million Hungarian minority, and will insist on respect for fundamental human rights as a condition for preferential treatment by the United States. This is not only morally appropriate but it is required by Section 402 of the Trade Act.

APPENDIX A.—CASES OF FAMILY REUNIFICATION—UNITED STATES

1. ARGESEAMI FAMILY

Petitioner: Felicia Savin. Residence: 81-11 45th Avenue, Appl 28, Amherst, New York, 11373 telphone number 212-639-6202. Family members: Son, Livia (physicist) Daughter, Dorina (mathematician). Residence: Str. Dionisie Lupa 53, Bucharest.

They have waited to join their mother for more than a year.

2. ANDREIOVICI FAMILY

Petitioner: Catalina Petroniu and Mother. Residence: USA. Family Members: Aunt (mother's sister), Elvira Andreiovici. Uncle, Miacea Andreiovici. Two children, Camelia, 20 years; Aurelina, 14 years. Residence: Bucharest, Str. Regenrarii Nr. 9.

Eight applications to emigrate by this family have been rejected. They are reportedly being subjected to harassment. They have already had three meetings with people from the Romanian government, but nothing is being accomplished at these meetings and the meetings become unscheduled for six to seven months hence. They expect to have another meeting in September with people from the Romanian government. It is now almost three years since their initial application to emigrate from Romania. Both parents have been dismissed from their previous accountant jobs and their 21 year old daughter has been unable to find employment because of their application to emigrate.

3. GRIGORAS FAMILY

Petitioner: Stelian Grigoras. Residence: 809 S. Marshfield, No. 904, Chicago, Illinois 60612. Family members: Mariana Grigoras (wife), Alexandra Grigoras (daughter) age 6½ Residence: Bucharest, Str. Xenopol, Nr. 13, sector 1, Romania.

The petitioner is a political refugee from Romania who presently lives as a lawful permanent resident of the United States. He arrived in the United States in November 1979. He has been attempting to get his wife and daughter out of Romania since 1980. His wife Mariana completed the appropriate documents for emigration on February 23, 1980. However, the family's request has been met with stiff resistance and unusual violence by the officials in Bucharest. After months of unsuccessful efforts and psychological pressure, they received a categorical denial from Romanian officials on October 18th, 1980. They have tried to ask again, but they received the same categorical refusal on March 27, 1981. The pressures exercised by the Romanian government have been increasing. On August 17th, 1981 his wife was told that she would never be allowed to leave the Socialist Republic of Romania. On September 1st, 1982 his wife was dismissed from her job. On June 9, 1981, she was visited by the secret Police of Romania who acquired biographical information on her and seemed to imply that she would in the near future be able to obtain permission for emigration. She was disappointed, therefore, when she received another refusal on June 24, 1982. Since then, the wife has been in a state of phychic depression. Their young daughter of age 6½ years has not been allowed to attend school, as the authorities have said that she would be a bad influence upon her classmates because of her father's political status. The family is currently in a desperate situation as the wife has heretofore been provided with food and clothing by her mother-in-law, but the mother-in-law is now in bad health. The family has been denied medical assistance. The petitioner applied to the Romanian Embassy in Washington, D.C., for help, but little help has been forhtcoming.

4. NEMOIANU FAMILY

Petitioner: Virgil Nemoianu, Director Comparative Literature Program. Residence: The Catholic University of America, Washington, D.C. 20064. Family members: Brother, Alexandrv Nemoianu, age 34 years. Brother's wife, Larissa Nemoianu, age 34 years. Son, Adrei Nemoianu, age 5 years. Residence: Bucharest, Romania.

Brother and family have applied to leave Romania and come to the United States in May 1981. For ten months he was given no reply, and in March 1982 he received a negative reply without any further explanation. Hs is currently appealing decision.

Brother and wife had previously been working at Museum in Bucharest. They were fired in August 1981 and banned from taking any other employment. They have been totally destitute for over 10 months, harrassed in many ways, threatened to be thrown out of the apartment in which they live, and to be treated as "political parasites" for not taking employment. They have been cut off from social benefits, medical care, etc. and threatened with having their child taken away.

5. PECHIU FAMILY

Petitioner—Alexander Morani. Residence: 6300 D Joaquin Murieta, Newark, California 94560, telephone number 415-498-7682. Family members: Brother, Paul; sister, Elena. Residence: Poenanu Bordea G. Bucharest.

They applied to join their brother in 1980. Paul was demoted from his position as a senior scientific researcher to that of clerk.

Chairman GIBBONS. Both of you represent broadly based groups that deal in the area of human rights. Have either one of you visited Romania personally?

Ms. SHEA. No, Mr. Chairman, we haven't. But we do receive letters on a daily basis from citizens of Romania in Romania, and from their relatives who may be outside of Romania.

Chairman GIBBONS. Are their letters in any way censored, that you know of?

Ms. SHEA. For the most part, their letters come through contacts, their close relatives in the West, not directly through the mail service of the Romanian Government.

Mr. KOSZORUS. To answer your question, Mr. Chairman, several years ago, we were in contact with members of the Embassy of the Government of Romania. And we received indirect invitations to visit and see for ourselves the conditions in that country.

We followed up those invitations by indicating our willingness to travel to Romania, but negotiations dragged out for over a year before we were finally advised that we would not be allowed to travel to that country.

So there has been an indication on our part to travel to Romania. We simply have not been permitted to go.

Chairman GIBBONS. Would you be prepared to travel to Romania if granted opportunity?

Mr. Koszorus. Very much so.

Ms. Shea. We would welcome the opportunity, yes.

Chairman Gibbons. Are any other international groups allowed to travel there that have the same aims and objectives that you have? People like Amnesty International?

Ms. Gaer. Mr. Chairman, I am Felice Gaer, director of the International League. In point of fact, Amnesty has sent a mission to Romania, I believe in 1978. And that represents one of very few opportunities encountered by Amnesty or any other internationally based human rights organization to undertake an on-site visit in one of the East European countries.

As for the results of that visit, I think Amnesty is the organization best able to tell you whether they felt they were successful or not.

Chairman Gibbons. Have you made any estimate as to how many people are in Romania who want to emigrate?

Ms. Shea. Mr. Chairman, we don't have aggregate figures. We only document and verify those cases that come directly to us, and our unresolved caseload right now is about 275.

Chairman Gibbons. You are familiar with human rights cases around the globe, I understand. How would you rank Romania with other countries that have human rights problems?

Ms. Gaer. It is always very hard, Mr. Chairman, to make those kinds of comparisons because brutality, wherever it takes place, is a horrible thing.

But I would say in commenting on the general situation in Romania that the kinds of abuses documented in the league's family reunification program are but a sample of the kind of difficulties there that many of the other groups that will be testifying before you will describe.

They are very harsh. They are very severe. They are pervasive. The preceding panel spoke in detail about some of the pervasive abuses. I would certainly comment that within the context of the countries of Eastern Europe, the internal situation in Romania and the extent of human rights violations there is indeed very severe, one of the most severe.

Mr. Koszorus. The Law Group shares that view. We believe that the situation in Romania is extremely dismal, with the regime being one of the most oppressive regimes in Eastern Europe. I don't think you can make comparison to other areas of the world, but certainly taking Europe or Eastern Europe, it is one of the most oppressive countries in the region.

Chairman Gibbons. Why? Do you know why? You have studied it a long time. What is the cause of this? Why is Romania more oppressive than others?

Mr. Koszorus. I imagine that is a function of the evolution of the history of its current system. It hasn't shed its Stalinist regime as some of the other countries of Eastern Europe have.

It reveals tremendous insecurity and tremendous economic problems. Allowing more freedom would open the floodgates of dissent and dissent would pour out.

I think they have to maintain such extreme restrictive policies to maintain control, any kind of control over the society.

Chairman GIBBONS. Do you feel that this committee should turn down the President's suggestion for 1 more year of MFN?

Ms. SHEA. Mr. Chairman, the International League is not taking that position. We are asking you to raise the considerations I mentioned about reforming the emigration application process and putting a stop to these reprisals against people who do try to emigrate, to raise these issues in the context of extending or considering extending the status.

Mr. KOSZORUS. Our position, Mr. Chairman, is that the committee suspend MFN for at least 1 year until Romania shows some willingness of improving its human rights record.

Chairman GIBBONS. Suppose we did that and the Romanians just said, well, there won't be any more emigration. Our trade has dropped off so low now anyway that it is not that significant.

What do we do then?

Mr. KOSZORUS. Well, I believe that trade isn't the sole issue of importance to Romania.

Chairman GIBBONS. Trade and credits.

Mr. KOSZORUS. Trade and credits are not the sole issue for Romania when it comes to MFN. I think there are a number of political considerations that come into play as well. I think that Romania needs this relationship with the United States much more than the United States needs the relationship with Romania.

So I believe we can exercise some leverage. At least we ought to try.

Chairman GIBBONS. If we should disallow the President's proposal, would we not in effect just doom all people that are in Romania to stay there?

Mr. KOSZORUS. I am sorry, I didn't understand your question.

Chairman GIBBONS. If we disallowed the President's proposal and suspended it, would we not perhaps just cut off any chance of anyone getting out of Romania?

Mr. KOSZORUS. Oh, I don't think so, Mr. Chairman. For example, I participated in the Madrid Conference as an NGO representative. I know the extensive contacts the Romanian Government had with our representative. I know the concerns raised there. There are many, many reasons why Romania would want to try to improve its record if some sort of pressure were brought to bear on the government.

This is not our only link to Romania, certainly.

Chairman GIBBONS. Why do you think this administration and the Carter administration and the Ford administration all have recommended that we continue MFN treatment to the Romanians?

What was their motivation? You all have been looking at this thing pretty hard. Why do you think they did that?

Mr. KOSZORUS. Mr. Chairman, I really can't answer that, not being a member of either administration.

Chairman GIBBONS. Well, I understand that, but I want your kind of outside opinion. Why do you think they did it?

Mr. KOSZORUS. The articulated reason—I didn't hear the administration's statement this afternoon—but it seems to be to promote a policy of differentiation toward Eastern Europe.

Chairman GIBBONS. Yes, ma'am?

Ms. **Gaer**. I would add to the discussion just the following point, namely, that we are all aware of the fact that the section 402 of the Trade Act has been—was envisaged as an important lever in the overall relationship between the United States and other countries, particularly the Communist countries.

This lever can be pulled, and can be pulled in a way that brings some relief for some of the tragedies that exist, some of the human rights violations that exist, and for a more free form of emigration. We worry, Mr. Chairman, that at present, this lever may not be being pulled in this fashion.

Chairman **Gibbons**. Thank you very much. Your testimony is very sobering, and the questions I ask are designed not to really reflect my opinion, but to try to extract as much material as I can. Thank you very much.

Mr. **Koszorus**. Thank you, Mr. Chairman.

Ms. **Shea**. Thank you.

Chairman **Gibbons**. Mr. Frank Braynard.

STATEMENT OF FRANK O. BRAYNARD, CHAIRMAN, OPSHIP, LTD.

Mr. **Braynard**. Mr. Chairman, thank you. I have spent a lifetime in shipping and had the pleasure of organizing the tall ship event for the bicentennial. Romania was the first Eastern Block nation to accept the invitation to come to OpSail 1976. Their acceptance was a very important key to the success of Operation Sail.

Events such as OpSail 1976 can turn whole cities around, just like it did in New York. People slow down. They smile at each other. They become human. And they are just different when they watch ships and see seamen.

Seamen are international citizens. Events like Operation Sail can bring people together and teaches them to be like seamen. And I personally believe that we must follow that lesson and learn to be like seamen, or we will all drown together.

After all, we are all seamen on spaceship Earth. I plan another major maritime parade for 1984 in New Orleans. And I have invited the *Majur* to come again. She could not come, I am certain, if Romania is denied most-favored-nation extension.

I believe world trade is the way to world peace and I do favor the extension of the most-favored-nations trading status to Romania.

Thank you.

[The prepared statement follows:]

STATEMENT OF FRANK O. BRAYNARD, CHAIRMAN, OPSHIP, LTD.

My name is Frank O. Braynard. I have written 20 books on ships and was creator of OPSAIL '76, the Bicentennial tall ship event. I favor the President's recommendation for the extension of "most favored nation" trading status to Romania, Hungary and China (PRC).

During the 5 years that I worked to create the Bicentennial tall ship event it was my pleasure to work with the Romanian training tall ship MIRCEA. Romania was one of the first nations to agree to come to the USA to honor our 200th birthday. Their acceptance was important to the success of OPSAIL, seen by many as the key event of the Bicentennial.

I am working to create another such maritime event for the 1984 World's Fair in New Orleans. We have again invited Romania to send their tall ship. My experience with the 1976 tall ship spectacular shows me that such projects do much to heal international wounds and bring people together. I firmly believe in the motto "world trade means world peace." I think it most important that Romania be granted an extension of the Most Favored Nations trading status so that more links can be established between them and the western world, particularly America.

OPSAIL '76 was seen in New York by 6 million people and millions more saw it on TV. It did much to turn New York around. The greatest dividend came in the euphoria that changed the people of New York during the week of the tall ships. Taxi drivers were polite. Subway change makers smiled. People looked each other in the eye. Ship events can do this to people. The parade of several thousand ships and yachts from the Gulf up to New Orleans, and the parallel parade of small boats down from the vast Mississippi Valley to New Orleans in 1984 will do it again.

My lifetime work with ships and the sea has shown me that seamen are a special breed of people. They have learned how to live together in our troubled world. Events like OPSAIL '76 and OPSHIP '84 can spread this image and teach a lesson to millions of others. Unless we learn to be like seamen, to live together on our planet, we will drown together. Afterall we really all are seamen on our spaceship Earth.

Chairman GIBBONS. Thank you.

Have you visited Romania recently?

Mr. BRAYNARD. No. I have been in other Iron Curtain countries in the past, however, and I plan to go to Romania in November.

Chairman GIBBONS. Are you able to speak their language?

Mr. BRAYNARD. No, I am not, sir. But I have found that in negotiating personally with them, I don't have to speak their language. I am very poor at language. But fortunately, they nearly all speak English.

Chairman GIBBONS. You are very good at English.

Mr. BRAYNARD. Thank you.

Chairman GIBBONS. I am sorry I didn't get to see the tall ships demonstration. I just lost my sailboat a couple of weeks ago.

Mr. BRAYNARD. I am sorry. I believe very, very firmly that goodwill can come from great international events. Every country in the world has terrible crimes being perpetrated on its citizens all the time.

But we have to think positively, I believe. OpSail showed that. That is what I would like to do.

Thank you very much.

Chairman GIBBONS. Thank you, yes, sir, thank you very much. Our next witness is Professor Harvey.

Mr. JENKINS. Mr. Chairman, while this witness is coming, I want to, I may want to ask some questions later of the staff. I am not sure.

If I have objections to China, for instance, on MFN, the waiver authority, then I would have to file a resolution of disapproval as it relates to China, the textile action, and we would have to take action on it, the House and Senate, within 60 days.

STATEMENT OF CURTIS E. HARVEY, PROFESSOR, DEPARTMENT OF ECONOMICS, UNIVERSITY OF KENTUCKY, LEXINGTON, KY.

Mr. HARVEY. I am Curtis E. Harvey, a professor of economics at the University of Kentucky, Lexington. I don't represent anyone else except myself.

I have been to Romania numerous times. I have just returned 3 weeks ago from a 5-months lectureship grant under the Fullbright program in Bucharest. I do speak Romanian fluently. You have asked the question before.

And I feel that I have a thorough acquaintance with the social, economic and political situation in Romania. I would like to comment, just a few comments this evening, on the issues that concern your committee.

On the issue of granting MFN treatment to Romania, I would like to go on record supporting continued MFN treatment for Romania because the alternatives seem very unreasonable to me. The alternatives of not granting most-favored-nation treatment to Romania.

The economy is, to put it euphemistically, in a very precarious state, denying most-favored-nation treatment to them would cause enormous hardships in their ability to repay the $3 billion debt or loan that has come due this year, or is coming due this year.

But my support is quite tempered by what I perceive to be very cumbersome and, to me, objectionable barriers that are put in the way of people desiring to emigrate.

At the end of the testimony, I will be happy to share with you two specific cases to support my views. I have appended them, I believe, in a few copies to my present testimony.

It seems to me that in this world of strife and friction, there is really very little to be gained by denying most-favored-nation treatment to Romania.

The relations between our two countries would, in the event of a denial, be affected very adversely, and that would be to no one's benefit.

But the standards of human dignity and personal freedom of those wishing to seek a life elsewhere seem to be very seriously jeopardized by Romanian authorities. The emigration procedures, as you have probably heard already, are extremely complicated, waiting periods are unendingly long, job security once an application has been filed, is reduced to near zero.

And human and mental suffering that many of these people who wish to emigrate have to endure, it is very intense and very serious. It seems to me that a person desiring to leave a nation, making that decision, really, to sever himself from his past and his ancestors, is not a decision a person makes very lightly.

It seems to me also that any service that this person will continue to render to the country would be seriously handicapped. His productivity may be low. I am sure it is low.

His enthusiasm to work and to participate in the affairs of the nation would also be low. Delaying his departure for any length of time seems to be very counterproductive.

If I held a position of influence in Romania, I certainly would feel that way about it. Delays cause only hardship for the nation and for the individual.

Therefore, I must conclude that a speedy departure would seem the most useful avenue and the most useful disposition of a case. Yet quite the contrary seems to be the situation.

Therefore, what I would like to propose to your committee is to grant most-favored-nation treatment, but also to perhaps institute some sort of a review mechanism to ascertain that the Romanian authorities proceed fairly and with dispatch in granting requests for emigration.

It certainly is within their capability to do so. Things can happen rapidly and quickly in Romania under certain conditions. And the committee ought to be informed periodically, perhaps quarterly, about the progress that is being made by the Romanian authorities in improving emigration procedures.

That, in my judgment, ought to be a condition for any future extension of MFN treatment, perhaps next year.

Now, I have some reservation about mixing economic issues, which this is, with social and political issues. As a scientist, I find that results sometimes get a little clouded and nebulous, and I don't think you can always obtain the right conclusion.

But I also feel very strongly about the principles of human rights and about reducing human suffering, wherever it appears.

I think it is a noble goal. I think that it is one we ought not compromise. We should certainly take our responsibilities in this area very, very seriously.

Now the two specific cases I mentioned at the outset of this testimony refer to two families that I have known, one just a short while, another for 15 years.

Both have applied to emigrate to the United States, and both I know are suffering very deep mental anquish.

That concludes my remarks.

[The prepared statement follows:]

STATEMENT OF CURTIS E. HARVEY, PROFESSOR, DEPARTMENT OF ECONOMICS, UNIVERSITY OF KENTUCKY

My name is Curtis E. Harvey. I am a Professor of Economics at the University of Kentucky in Lexington, Kentucky. My address is 2056 Lakeside Drive, Lexington, Kentucky 40502. My office phone is (606) 257-1156, my home phone is (606) 266-0147.

I represent only myself, an interested citizen. Over the past 14 years, I have been to Romania ten times, for periods ranging from five days to five months. During three of these stays, I lectured and did research at the Romanian Academy of Economic Studies under the auspices of the Fulbright-Hayus program. I speak Romanian fluently and believe that I am thoroughly acquainted with the nature of the social, economic, and political system in place there today.

Today, I would like to comment on the issue that concerns this committee; granting most favored nation treatment to Romania for another year.

I would like to go on record supporting the view that M.F.N. treatment be approved for Romania. My support, however, is tempered by what I perceive to be unnecessarily cumbersome and to me, objectionable barriers put in the way of citizens wishing to emigrate. At the end of my testimony I will cite two specific cases as supporting evidence.

It seems to me that in this world of international friction and strife, little is gained by denying MFN treatment to Romania. Relations between our two countries would only be adversely affected which, in my judgment, is to no one's benefit. But the standards of human dignity and personal freedom of those wishing to seek a life elsewhere are seriously jeopardized by Romanian authorities. Emigration procedures are extremely complicated in Romania, waiting periods are unendingly long, job security once an application to emigrate is initiated is reduced to near zero, and human and mental suffering is intense. It seems to me that once a person has taken the certainly agonizing step to apply for emigration no possible benefit can come to anyone from withholding approval for such a request. On the contrary, his service to the community and to the nation is probably less than enthusiastic, his productivity low, and delaying his departure for years is not only counterproductive for the nation, but punishing for the individual as well. A speedy departure would seem most useful for all concerned. And yet, quite the contrary is the case. Therefore, I propose to this committee, that it set up a temporary review mechanism to ascertain that the Romanian authorities proceed fairly and with dispatch in granting requests for emigration. It is within the capability of the authorities to do this, and to do it quickly. The committee ought to be informed periodically, perhaps quarterly of the progress made in this area by the authorities and further extension of MFN ought to be conditioned by the results.

I admit that mixing economic issues with social ones can create confusing results. However, the principle of preserving human rights and reducing human suffering wherever it appears is a noble goal, it ought not be compromised and we should take our responsibility here very seriously.

The specific cases I mentioned at the outset of this testimony refer to two families—the Sipos family and the Bumbes family. Both have applied to emigrate to the United States and are suffering deep mental anguish. Their cases, described in their own writings, are appended.

[ATTACHMENT]

Laura Boambes, Administrative Assistant, American Embassy, Bucharest, Romania, age 39. Employed by the Embassy on November 21, 1966 as a clerk typist, presently holding one of key positions in the Administrative Section. Family: Paul Boambes, husband, civil engineer, employed by the Romanian Government, age 42; Ioana Ruxandra Boambes, daughter, age 10, bilingual, went to American School in Bucharest through 4th grade; Irene Valle, mother, age 66, retired.

Applied for emigration on May 9, 1981. Received 3 negative answers within a year; requested 2 interviews and went to see passport officials on February 2, 1982 and May 15, 1982. The third interview was granted for December 13, 1982. Both interviews nothing but waste of time and the third no doubt will be the same.

Outcome of interviews: February 2, 1982: husband's large family (10 brothers and sisters) prevents emigration, although no close family ties and most of them are married and have their own families. Answer received after the interview was negative.

May 15, 1982: finally found out that the Party sector does not agree with emigration request since no relatives in the U.S. and this is considered "a pure emigration case". The official who received us didn't both to study my file which was in front of him; I had to explain that the Embassy is supporting my application, that I would get the visa immediately and also the affidavit of support (he was worried about these). We were told that the request will be reconsidered. No answer yet.

December 13, 1982: remains to be seen but probably along the same lines as far as their concern to solve the problem.

At this pace there is a good chance that a simple passport request be solved in three to four years which is unthinkable but still possible in this country.

[EDITOR'S NOTE.—Although two cases are mentioned in the prepared statement, the above is the only one submitted.]

Chairman GIBBONS. You have expressed many of the concerns that I have. I can't get it through my brain why any country wants to retain its people when they want to leave.

I think you just have an unhappy, unproductive citizen who sometimes perhaps will cause trouble, and the best thing you could do is to let them leave.

It seems to me there would be fewer people to feed, and fewer people to house and to clothe and to take care of when you got rid of those that really honestly wanted to leave.

But why do you think the Romanians persist in not allowing the people to leave?

Mr. HARVEY. I have a suspicion that if emigration procedures were to be made easier—perhaps like it is in Hungary—the Romanian authorities are afraid that too many people might leave. The present obstacles are one form of discouraging large-scale departures.

On the other hand, I think the Romanians are a very patriotic people, too. Many of them might leave, but many would also return. Some already have. I have met people who have returned to Romania in their older age with their social security payments, who have spent years in Detroit or elsewhere in the United States working, because the traditions are very strong, the family structures are very strong.

So, I don't have an answer to your question. I just have some sort of very casual empirical evidence that regards my views on this matter, having spoken with many people in Romania, Germans as well as Hungarian minorities.

There are only about 300,000 Germans left and about a million and a quarter Hungarians. Some are enclaves unto themselves. They are a very interesting people, but many of them have left.

The Germans have left in large numbers. There are many houses in villages that are empty and boarded up because their owners have left for Germany.

Chairman GIBBONS. Do you find there is a reluctance on the part of Romanian citizens to talk with us about these problems?

Mr. HARVEY. A great reluctance. The only ones who do speak with me about this are those who have applied for emigration and have little to lose. In this visit of mine for 5 months, I was invited to only one professor's house for dinner. And that was the week before I left.

Although I have known some of these colleagues for 10 or 12 years, they were too reluctant to invite me to their homes for dinner because it would go on their record as having had contact with a Westerner. They are a little afraid of that.

I was somewhat disappointed in that. Many of them have actually stayed at my house in Lexington when they came to visit the United States. There is a great reluctance to talk to Westerners, yes. I think it is a great deal more stringent now than it was years ago when I was there last.

Mr. JENKINS. Mr. Chairman, may I ask one question?

You indicated, Professor, that most of the Germans have left?

Mr. HARVEY. A great many have left, yes.

Mr. JENKINS. Are they having real problems in getting out?

Mr. HARVEY. Now they do. Until about 3 months ago they didn't. It was a fairly simple process, but in at least one Province, in the area of Sibiu, which is in the southeast corner of Transylvania, I spoke to several of them who had applied for emigration and who were called together in a meeting and told there would be no further passports given out, that the order had come from Bucharest that no further passports would be issued. This happened to be the pastor of one of the Lutheran churches there.

Mr. JENKINS. Up until some 2 or 3 months ago there had been no problem of emigration as far as the Germans were concerned?

Mr. HARVEY. Well, that is correct, yes. Basically there was an arrangement made with West Germany, I believe.

Mr. JENKINS. It is very difficult for the committee—because we get conflicting views—could you tell us why would they want to be free with the Germans to emigrate and not with the Jewish community? Why do they select one group that they won't let emigrate easily?

Mr. HARVEY. I think the Germans have extended a great many credits to Romania in the past. Much of the debt currently being held abroad is held by German banks. It may well be that there was some leverage exercised through economic relationships to permit the Germans to emigrate, that is, those who wished to emigrate.

I don't think we have done that. We don't hold that much debt with regard to Romania, to the best of my knowledge; a small percentage of the $11 billion external debt.

Mr. JENKINS. It is very difficult for me to understand. I know this question has been asked over and over again. No one really knows.

I can't conceive of why the Romanians would want to keep a lot of elderly people that I would assume not be the most productive people if they wanted to leave the country. It is very difficult for me to understand why they would want to hold on to this particular group of people.

Mr. HARVEY. It is my understanding that the elderly have an easier time getting out than younger, more productive people. I have heard that before in Romania. Many fewer obstacles are put in the way of the elderly in most instances.

Mr. JENKINS. I see.

Mr. HARVEY. I think if we were to deny most favored nation treatment to Romania we would be jeopardizing future relations and possibly would adversely affect future emigration policies or changes in future emigration policies in Romania with regard to their citizens.

I really don't think we ought to go in that direction. That is my personal viewpoint.

Chairman GIBBONS. Dr. Harvey, when you are in Romania, are you allowed to express your opinion about their economic system?

Mr. HARVEY. Up to a point. I am allowed to, but you may not be invited back. I gave numerous lectures. I functioned as a guest lecturer. I have only talked to one group of young students in the age bracket of 20, and after that it came back to me that they felt that my remarks were a bit too open, particularly with regard to Russia.

I really only talked about known facts, but these are facts that are not widely circulated in Romania; about the Russian grain harvest and the sale of Russian oil to Romania, for which they demand mostly hard currency.

These kinds of remarks apparently were too sensitive. So, I lectured mostly to postgraduate students at various institutes.

Mr. JENKINS. Mr. Chairman, I don't think I have any further questions. I know you want to go ahead and extend the MFN treatment?

Mr. HARVEY. Yes. That is my opinion.

Mr. JENKINS. If I as one member of the subcommittee felt that the reason there are so many difficulties that they intend to retain people to bargain with in the future, then I would be for cutting off MFN treatment immediately and period.

I just don't like to bargain in that way. That is harsh, if we really thought they were going to just close the gates. But that type of treatment, if I really thought that was the reason they were not permitting people to emigrate, then I don't think I could favor extending MFN treatment at all. I just would not want to dribble it out year by year.

You feel we ought to continue to work in this direction?

Mr. HARVEY. Yes. I think we should put the Romanians on notice that we are seriously concerned about this, that there are better ways of handling emigration requests.

That would be my opinion. You could even establish a lottery, if you have no way or no means by which to determine who should go first, if you have some maximum number per month. That would be an equitable and fair way, even if perhaps somewhat unique.

In any event, that is one alternative. There would seem to be many, many other ways we can encourage them to act with greater dispatch in handling their cases.

Mr. JENKINS. Dr. Harvey, I think your testimony has been very objective. I appreciate your testimony very much.

Chairman GIBBONS. You are convinced, though, that there are a great many who want to leave that are not being allowed to leave or being intimidated from leaving? Is that right?

Mr. HARVEY. Yes. There are a great many, but "great many" is a vague concept—I just don't know how many. There are many who do not apply for emigration because they fear for their job security.

Chairman GIBBONS. I realize sitting here, thinking to myself, if I wanted to leave my country, all the things my country could do against me, some of them completely illegal, some legal.

It would be a very difficult decision to make, particularly if you had a very large family, because there are a lot of other ways they could apply pressure to you, particularly if you had a large family and felt very close to that family. It would be very difficult because they could exert pressure upon family members, as well as upon the person who wanted to leave.

I realize these are things you have to pick up, mainly not explicitly from people talking to you, but just from a feeling, almost by osmosis. You feel that there are people that want to leave that country and are either intimidated one way or the other so that they are not applying or just don't express themselves. Is that correct?

Mr. HARVEY. Yes, I think there are. I am not sure how many, but I am sure there are. I know there are some, but I think many of them would also come back.

Chairman GIBBONS. Some of them just want to easily travel, is that right?

Mr. HARVEY. Well, they cannot even easily travel to Bulgaria, passports are not readily available, or to Czechoslovakia. Some would probably travel. Some would stay. I am sure others would come back.

Yugoslavia is a very good example. Many Yugoslavs have traveled abroad and come back; Hungarians, too. I don't see why Romania couldn't follow similar policies.

Chairman GIBBONS. Thank you very much, sir.

Mr. HARVEY. You are welcome.

Chairman GIBBONS. We will next have a panel existing of Mr. Collins, Dr. Gordon, and Dr. Apostoliu.

Mr. JENKINS [presiding]. The chairman will be back in just a moment. We might commence with the testimony of Mr. Collins.

Let me say at the very beginning all of the written statements in their entirety will be a part of the official record. You might summarize, because of the lateness of the hour.

STATEMENT OF JEFFREY A. COLLINS, DIRECTOR, EAST/WEST NEWS SERVICE, ACCOMPANIED BY RADU CAPUSAN, FORMER SPOKESMAN, ROMANIAN CHRISTIAN COMMITTEE, BUCHAREST, ROMANIA

Mr. **Collins**. I am Jeffrey Collins, director of East/West News Service, which is a religious news agency monitoring human rights.

I have with me today to my right Mr. Radu Capusan, former spokesman for the Romanian Christian Committee from Bucharest. That committee is an organization which reported religious rights violations and immigration violations to various human rights organizations in the West.

Mr. Capusan is now living in exile from his native homeland of Romania after having been offered by the Romanian authorities either 10 to 15 years in prison for his activities or 15 days to leave his beloved country. Mr. Capusan left Romania in December 1980.

We both thank you for the privilege of addressing this important body this afternoon.

We are concerned about the many travesties and Nazi-style injustices being perpetrated by the Socialist Republic of Romania upon its citizens. We speak about that government's denial of emigration passports and visas to those of its citizens who want to be reunited with their families in the West. Others desire to emigrate because of the religious repression that is so evident in that nation today.

We address also the insensitivity of the Romanian authorities to tolerate religious beliefs and practices in that nation. Their actions have led to the infiltration and harassment of Christian groups who participate in evangelistic activities, such as the distribution of Bibles and Christian literature.

We speak literally about the arrests of scores of Christian believers during the past year from various denominational backgrounds; for example, Romanian Orthodox, Catholic, Baptist, Brethren, Pentecostal, et cetera.

Leaders such as Klaus Wagner of the Brethren Church have been put on trial and sentenced to 6 years or more in prison for merely distributing Bibles. Mr. Wagner has received electrical shock treatments and beatings since his arrest, to make him divulge other names of people distributing Bibles. He is separated from his wife and four children because he organized an effort for distributing religious literature.

We can speak further about the organized destruction of houses of worship by bulldozer and other means upon orders from Romanian authorities. Sometimes they did this using various excuses, such as rezoning requirements or a highway was to be built through a certain town or village. Permission was seldom given to rebuild those churches.

We give to you this day a compilation of such repressive measures that many citizens find it beyond belief in this day that such activities could be not only tolerated but also directed by officials of the Socialist Republic of Romania.

The State Senate and State House of Representatives of Kentucky and the State House of Representatives of Georgia unanimously passed resolutions this year asking that most favored nation preferential trade status be denied to the Socialist Republic of Romania when it came up for renewal. Also, Michigan State has passed such a resolution.

Such resolutions are pending in various State legislatures. All of this action has taken place because of that nation's abusive and despicable persecution of religious believers within its borders.

We concur with their actions. How can a God-fearing nation commit itself to any action that would lead to the economical development of this nation that not only is vehemently opposed to our political and economic system but also is involved in actively repressing and persecuting those of its citizens who love God and seek to serve Him with all their hearts?

It is indeed a travesty of human nature that mankind should be denied that inalienable right, and it is equally alarming that our Nation, which boasts to be a "nation under God", should economically assist those who persecute the Church of God. One must not flatter or financially aid the wolf at the expense of the sheep.

I want to thank you again for your attention to this most important matter. I submit to you several documents for inclusion in the record. I have here a documentation outlining the various categories or human rights violations in Romania.

We have, first of all, briefs with the listings of several names and addresses of those who have faced harassment from Romanian authorities. These are evangelical believers.

We have listed here a category called Romanian Christians who have been arrested and sentenced since they requested emigration.

We have a list of Romanian Christians persecuted and interrogated by the secret police during the past 12 months. This list is extensive.

We have also a list of several churches, about 10 churches, which have been closed, locked or destroyed during the past few years because of preaching the gospel of Jesus Christ.

We have here a list of individuals who have applied for emigration without any result over a prolonged period of time, most of them to be reunited with their families in the West.

Also, we have a list of individuals who have been arrested and sentenced for Bible distribution:

Klaus Wagner, arrested October 1, 1981, put on trial, sentenced to 6 years in prison for distributing Bibles. He is separated from his wife and four children for those 6 years. His wife and children are without financial support.

Fibia Delapeta, a Christian woman also was involved in distributing Bibles. Ms. Delapeta has been sentenced to 5 years at hard labor in prison. She is now in the prison in Turnu Severin.

Maria Delapeta, her sister, has been sentenced to 5 years plus at hard labor for distributing Bibles.

Silviu Cioata, arrested in November last year, tried on March 6 of this year, sentenced to 5 years and 3 months in prison for distributing Bibles.

Mircea Cioata, sentenced to 5 years in prison on March 6 because he believed in obeying the command of Jesus Christ to preach the Gospel and in doing so he distributed Bibles, which were considered contraband by the Romanian Government.

Ioan Teodor, arrested March 6, put on trial in 1982 of this year, just a few months ago, 5 years 3 months for distributing Bibles.

Horst Feder, arrested March 5, trial March 6, sentenced 5 years 3 months in prison. Separated from his wife and two children.

Hans Holzman also received 5 years and 3 months for distributing Bibles. Mr. Holzman is married and has six children, from whom he is separated.

Ioan Raceala was arrested on March 4. His trial was also March 6. He was sentenced to 5 years and 6 months in prison at hard labor. He is married and has three children without financial support.

Petre Furnea, arrested March 5, also put on trial March 6 with the others in Ploesti. He received 5 years and 3 months in prison.

Costel Georgescu, arrested October 11 of last year, finally met trial on March 6 of this year. His sentence was 6 years in prison for distributing Bibles.

Also for inclusion in the record I have the resolutions passed by the States of Kentucky, Michigan, and Georgia. Also for inclusion in the record I bring to you a pamphlet which we prepared, called the "International Law Concerning Freedom of Religion and Conscience," including the charter of the United Nations Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and the final act of the Conference on Security and Cooperation in Europe.

The Socialist Republic of Romania is in violation of every one of these laws. We request that a resolution of disapproval be entered into the House of Representatives against the continuation of most-favored-nation trade status.

We believe that this is the only just way and the only leverage which can now be used against the nation of Romania, against the Government of Romania, which has consistently for 8 years violated these laws.

Chairman GIBBONS. We will admit those items that you submitted with the understanding that the staff will examine them to make sure that they are not duplicative of what we already have and that there will not be an unnecessary cost in printing.

I saw them as they went through your hands. They don't look excessively long. I am just a little reluctant to accept extremely long documents that already are in publication.

[The information follows:]

EAST/WEST NEWS SERVICE: RELIGIOUS RIGHTS IN ROMANIA—BRIEFS

Iona (John) Teodosiu, 27, was arrested December 16, 1981 and charged with treason. While in prisons in both Cluj and Bucharest he says he was beaten and generally treated poorly. As spokesman for the Romanian Christian Committee, he gathered information about religious repression in Romania and sent it to Christians in the West. During the months prior to arrest Teodosiu was repeatedly warned not to speak with or see any one from the West. He was also fined for working for Radio Free Europe, a charge which Teodosiu says is false. A trial was set to be heard by the Military Division of the Romanian Supreme Court March 8, 1982. He was, however, released just hours before the trial was to begin. His release followed protests from several U.S. Congressional leaders.

Ligia Teodosiu, 23, of Cluj, was, at a crucial time during her current pregnancy, denied medical aid despite a kidney flare-up. That was just one week before her husband, Ioan, was to go to trial. She has since been receiving medical treatment, but has now been told she and her husband must vacate their apartment. Because of the publicity around Ioan Teodosiu's case and police harassment, they have been repeatedly told they cannot obtain available housing. Ligia's baby is due this month (June). They have both been denied passports to the West.

In September 1981 13,000 Bibles were confiscated from a ship in Turnu Severin. Those Bibles were burned by the Romanian government. Five Christians were arrested for bringing illegal contraband (Bibles) into the country.

Klaus Wagner of Timisoara, was arrested October 1, 1981 and later convicted for distributing 600,000 Bibles. He was sentenced to six years in prison and fined.

Maria and Fibia Delapeta were arrested and sentenced for working with Wagner. Five year prison terms and fines were given to each at a December 1981 trial.

The Sfinta Trieme Baptist Chruch in Bucharest is fighting to keep its building. Government authorities have threatened to demolish the structure which is in downtown Bucharest. Pastor Vasile Talos says the government can come and destroy his church if provision is made for new quarters. So far the government will not even permit the church to be rebuilt on vacant land in the same area.

Nazi-style raids and beatings have been widely reported throughout the country. Secret police have searched more than three dozen homes: Bibles, Christian literature and food have been confiscated. Officers beat several of the occupants in some raids.

Beatings during interrogations have also been widely reported. Common is the practice of slamming a person's head against solid walls, repeated hits to the head with a hard rubber club and now the use of electrical shock.

Silviu Cioata and Costel Georgescu were arrested in Ploesti November 11, 1981 and charged with trafficking in Bibles. The trial was originally set for January, but postponed when an American Christian lawyer arrived in Ploesti at the family's request.

An additional ten Christians have been arrested and imprisoned for working with Wagner, Cioata and Georgescu in the circulation of Bibles. Those arrested had been interrogated on a daily basis from November 1981 through their trial date in March.

Five Romanian Baptist pastors were accused of embezzling church funds, according to a November 1981 article in the communists magazine, Flacara. The Flacara article called for the arrest and conviction of Iosif (Joseph) Sarac, Vasile Talos, Vasile Brinzai, Pascu Geabau and Buni Cocar. The charges stem from a verbal agreement granted to the pastors and is connected to the unauthorized spending of church funds on church projects. (The church sanctioned the expenditures, the government-aligned Baptist Union did not.

Iosif Sarac and Pascu Geabau were dismissed as president and secretary, respectively, of the Bucharest Baptist Community. This is the organization which oversees the Baptist churches in Bucharest. These were elected posts, but the dismissals came from the Baptist Union and the Romanian government Department of Cults (Religion).

Local authorities threatened to demolish the Cimpeni Baptist Church in the Alba Region of Romania in November. Secret Police confiscated the document which gave the church a legal right to exist. The closest other Baptist Church is 70 miles away.

During one of Ioan Teodosiu's interrogation sessions, officers quoted verbatim phone conversations Teodosiu had had with people in the West. This confirmed his suspicion that his line was tapped. (This is common to most Christians in Romania.)

The official Romanian news agency Agerpress accused Pope John Paul II of interferring with the Romanian Orthodox Church when he appointed exiled-Romanian Traian Crisan to a Vatican post.

Three American tourists were taken into custody twice by Romanian police. They were asked about certain Christians in Romania and then released.

In January 1982 Dr. Curtis Nims, a retired American Baptist preacher, was ordered out of Romania. When police took him into custody, they told him he had been associating with the wrong people in Romania—Christians.

Revival continues in Mediasi even though the pastor, Ioan Stef, has been dismissed by the Baptist Union.

Pastor Beniamin Cocar was recently dismissed by the government-aligned Baptist Union as pastor of the small churches in Cenode and Timbrie.

Romanian Christians arrested and sentenced since requesting emigration:

Gheorghe Salia and wife Emilia from Cluj were arrested and sentenced on September 25, 1981. Gheorghe Salai was sentenced to six months in prison and Emilia was sentenced to four months in prison. They have four children. They are members of the Baptist Church. Their address is: St. Dr. Petru Groza Nr. 33, Cluj, Romania.

Paul Dragu and his wife Paulina were both arrested on January 22, 1982. Paul Dragu was sentenced to six months in prison. Paulina Dragu was sentenced to four months but was released after ten days in prison. They have four children. Their address is: St. 8 Martie No. 5, Tragu Jiu, Romania.

Petre Draghici was arrested on January 12, 1982 and sentenced to six months in prison. He is a member of the Baptist Church. His address is: St. Razoara No. 19, Ploesti, Romania.

Vasile Presda was arrested in 1981 and was sentenced to eight years in prison. He is married and has one child. He is a member of the Orthodox Church. He lives in Bucharest.

Romanian Christians Persecuted and Interrogated by Secret Police:

Ioan Teodosiu is the spokesman for the Romanian Christian Committee. He is a member of the Baptist Church. He was arrested on December 16, 1981 and accused of espionage. He was released in March 1982. He is presently closely followed by the secret police.

Giurgiu Gavrila, a Pentecostal pastor, was arrested in 1953 and released in 1956. He has been currently beaten by the secret police and is under investigation. His address is: St. Petrosani Nr. 8, Cluj, Romania.

Liviu Capusan, father of Radu Capusan is under investigation and closely watched by secret police. All of his correspondence is censored by the secret police. His address is: St. Bucegi 15, B1 A3, F1. 9, Apt. 151, Cluj, Romania.

Mircea Toma has been under investigation for three months for distributing Bibles. He is a member of the Brethren Church. His address is: St. Tinerul Mare 25, Ploesti, Romania.

Ioan Enea was under investigation for three months for distributing Bibles. He is married and has ten children. He is a member of the Brethren Church. His address is: St. Sabinelor Nr. 2, Bl. 2, Ploesti, Romania.

Pavel Chiu, a Baptist pastor, is presently under investigation for refusing to cooperate with the government. He is married and has four children. He is from Arad, Romania.

Aurel Chiu, a Baptist medical doctor, was fired from his job because of his Christian activity. He is married and has two children. He is from Arad, Romania.

David Teodosiu, a Baptist student from the Polytechnic Institute in Cluj, is presently under investigation. His house has been searched. His address is: St. Alamascului No. 401, Cluj, Romania.

Haralanbie Ploscariu, a Baptist pastor, is under investigation for his Christian activity. He lives in Motru, Romania.

Vasile Talos, a Baptist pastor from Bucharest, is under investigation for refusing to cooperate with the government about matters concerning his church. He is married and has two children. He lives in Bucharest, Romania.

Pascu Geabau, a Baptist pastor, is under investigation. His church was destroyed in 1977 by an earthquake, since then the church has held prayer meetings in a tent. He has refused to cooperate with the government. He lives in Bucharest, Romania.

Iosif Sarac, a Baptist pastor and president of the Baptist Community from Bucharest was dismissed from his position by the Department of Cults in Bucharest because he refused to cooperate with the government.

Vasile Brinzei, A Baptist pastor from Bucharest is still under investigation. He was accused by the Romanian government of embezzlement. He was slandered in the Flacara magazine.

Buni Cocar, a Baptist pastor from Bucharest would not cooperate with the government. After he finished his studies in the seminary he was refused official license.

Ioan Stef, Pastor of the First Independent Baptist Church in Medias is under investigation because he refused to cooperate with the government.

Benamin Cocar is the assistant pastor of the First Independent Baptist Church in Medias. Because he refused to cooperate with the government, after he graduated from the Baptist Theological Seminary, the government refused to give him a license.

Viorel Dumitrescu, an Orthodox priest from Parohia Visag-Lugoj was dismissed because he refused to cooperate with the government. He is still under investigation.

Churches closed, locked or destroyed by the Romanian Government:

Baptist Church in Tiganesti—destroyed in March 1977. The church has two hundred members. They asked for government permission to build another church; but the government said no. Now they conduct church services in a tent.

Baptist Church in Bujac-Arad—Taken over by the government in April 1981. The secret and regular police broke wondows and doors and confiscated everything from the church (chairs, organ, etc.). They then converted the building into a hospital. Now the members of the church meet in different homes.

Baptist Church in Motru—Secret and regular police sealed the door in April. The church building has now been converted into a government office. The members sometime meet clandestinely. The pastor is still under investigation.

Baptist Church in Falticeni—Secret and regular police destroyed the roof and built a wall in the middle of the church in October 1980. The members were told that they would be fined many thousand lei if they met again in the church. The members now meet covertly for prayer meetings.

Pentecostal Church in Medias—Destroyed by the government in March 1981. The two hundred members of the church now meet covertly for prayer meetings.

Baptist Church in Rachitova—Destroyed by the government August 15, 1981. The local communist authorities brought fifty people and two bulldozers and destroyed the church in half an hour. The members of the church meet secretly.

Pentecostal Church in Cimpia Turzii—Secret police cut off the electricity and the gas in February 1982. Because of the severe cold in the winter, the members of the church wear very heavy coats and they must read the Bible with a flashlight.

Baptist Church No. 2 in Brasov—Closed in February 1982. The members of the church were fined 30,000 lei because they met in the church. Now the members must meet clandistinely.

Baptist Church in Zalau—Destroyed April 5, 1982 by the secret police. For Easter the two hundred members met surreptitiously.

Baptist Church of Mihai Bravu in Bucharest—In danger of being destroyed. The government has told the six hundred members to move from the church. The government claims the space is needed to build a highway. The government refuses to give the members a place to build another church.

Individuals who have applied for emigration; most to be reunited with their families in the West:

Liviu Capusan, a Baptist who applied for emigration in April 1981. Romanian authorities refused to give permission to emigrate even though his son, Radu Capusan, lives in the United States. Liviu Capusan's address is: St. Bucegi No. 15, B1. A3, F1. 9, Apt. 151, Cluj, Romania.

Ioan Teodosiu and Ligia Teodosiu, both are Baptist. Residence: St. Almasului No. 40 Cluj, Romania.

Gavrila Giurgiu, a Pentecostal pastor. Residence: St. Lupeni Nr. 8, Cluj, Romania.

Daniel Brinzei, a Baptist pastor. Residence: St. Muntele Mare No. 3 Sector 7, Bucharest, Romania.

Teodor Rus and his wife Pentecostal Church members. Residence: Ciceu-Giurgesti No. 317, Jed Bistrita-Nasaud, Romania.

Paul Dragu and his family, a member of the Brethren Church. Address: St. 8 Martie No. 5, Tirgu, Romania.

Emil Pop and his wife, members of the Pentecostal church. Address: St. D Gherea. No. 5, Dej, Romania.

Gheorghe Salai and his family of the Baptist Church. Address: St. Dr. P Groza No. 33, Cluj, Romania.

Ioan Falcusan and his family of the Baptist Church. Address: St. Gheorgheni Nr. 204, B1. N., Apt. 16, Cluj, Romania.

Pavel Muresan and his family of the Pentecostal Church. Address: St. Merilor Nr. 4, Dej, Romania.

Viorel Tautu and his family of the Baptist Church. Address: St. Caragiale Nr. 21, Dej, Romania.

Ioan Bor of the Pentecostal Church. Address: St. Hasdau Nr. 49, Dej, Romania.

Gavril Sighiartau and his family of the Pentecostal Church. Address: Ciceu-Giurgesti, St. Varga Catalina Nr. 68, Dej, Romania.

Ioan Sporea and his family of the Baptist Church. Address: St. Muncii Nr. 14, Resita, Romania.

Daniel Stauceanu and his family of the Baptist Church. Address: St. Presei Nr. 1, Sector 1, Bucharest, Romania.

Petru Truta and his family of the Orthodox Church. Address: Sos Catelul Nr. 6A-B1. 341, Bucharest, Romania.

George Michescu and his family of the Baptist Church. Address: St. M. Sadoveanu Nr. 35, Turnu Severin, Romania.

Zaharia Ploscaru and his family of the Baptist Church. They live in Motru, Romania.

Haralambie Ploscaru, Jr. of the Baptist Church. He lives in Motru, Romania.

Iela Petru and his family of the Baptist Church. Address: St. Alee Liliacului, Bl. 5, Fl. 3, Apt. 16, Caramcebes, Romania.

George Burtea and his family of the Baptist Church. Address: St. Bugorului Nr. 39, Turnu Severin, Romania.

Daniel Chibici and his family of the Baptist Church. Address: St. Crizantemelor Nr. 5, Orcoba, Romania.

Cornelui Ciuca and his family of the Baptist Church. Address: St. Republicii Nr. 8, Apt. 17, Galati, Romania.

Mihai Schiau of the Baptist Church. Address: St. Cintarului 7, Sebes-Alba, Romania.

Teofil Salagea and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Timotei Stef and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Aurel Miget and his family of the Baptist Church. Address: St. Marasesti Nr. 28, Apt. 4, Arad, Romania.

Romanians arrested and sentenced for Bible distribution:

Klaus Wagner: Arrested Oct. 1, 1981 in Sighisoara. Trial: Dec. 17, 1981 in Turnu Severin. Sentence: 6 years in prison. Prison: In Turnu Severin before trial. After trial in Craiova then in Bucharest. Age: 32. Occupation: Auto mechanic. Married: wife Ekaterina. Children: Hanna, born Oct. 8, 1975; Markus, born Nov. 9, 1976; Samuel and Debora, twins born May 8, 1980. Church: Brethren. Home address: 3050 Sighisoara, St. Mihail Eminescu No. 12 Jud. Mures, Romania. Present physical condition: Not known.

Fibia Delapeta: Arrested Oct. 1, 1981. Trial: Dec. 17, 1981. Sentence: 5 years plus in prison. Prison: Turnu Severin before trial. Age: 28 years. Occupation: Not known. Married: Not known. Children: Not known. Church: Orthodox Church. Home address: St. Carpinis Nr. 13, Jud., Hunedoara, Romania. Present physical condition: Not known.

Maria Delapeta: Arrested Oct. 1, 1981. Trial: Dec. 17, 1981. Sentence: 5 years plus in prison. Prison: Turnu Severin before trial. Age: 25 years. Occupation: Not known. Married: Not known. Children: Not known. Church: Orthodox Church. Home address: St. Carpinis Nr. 13, Jud., Hunedoara, Romania. Present physical condition: Not known.

On March 6 eight Christians were sentenced for bible distribution:

Silviu Cioata: Arrested Nov. 11, 1981 in Ploesti. Trial: March 6, 1982. Sentence: 5 years 3 months in prison. Prison: Ploesti before trial. After trial in I.L. Caragiale, Jud., Prahova. Age: Not known. Occupation: Dentist-Medic. Married: Wife, Elena. Children: Two children. Church: Brethren. Home address: St. Intrarea Petuniei No. 9, Bl. 8, Sc., B, Apt. 20, Ploesti, Romania. Physical condition: Not known.

Mircea Cioata: Arrested March 6, 1981 in Ploesti. Trial: March 6, 1981. Sentence: Five years. Prison: I.L. Caragiale, Jud., Prahova. Age: Not known. Occupation: Engineer. Married: Yes. Children: Two children. Church: Brethren. Home address: St. Lenin No. 1., Bl. A, Sc. B Apt. 19, Ploesti, Romania. Present physical condition: Not known.

Ioan Teodor: Arrested March 6, 1982 in Ploesti. Trial: March 6, 1982. Sentence: Five years and three months. Prison: I.L. Caragiale, Jud. Prahova. Age: Not known. Married: Yes. Children: Four. Church: Brethren. Home address: St. Veronica No. 42, Ploesti, Romania.

Horst Feder, Jr.: Arrested March 6, 1982. Trial: March 6, 1982 in Ploesti. Sentence: Five years and three months. Prison: I.L. Caragiale, Jud., Prahova. Age: Not known. Occupation: Not known. Married: Wife, Elisabeth. Children: Two. Church: Brethren. Home address: St. Ilarie Chendi No. 87, Shighisoara, Romania.

Hans Holzman: Arrested March 5, 1982. Trial: March 6, 1982 in Ploesti. Sentence: Five years and three months. Prison: I.L. Caragiale, Jud., Prahova. Age: Not known. Occupation: Not known. Married: Yes. Children: Six. Church: Brethren. Home address: St. Dragos Voda No. 20, Brasov, Romania.

Ioan Raceala: Arrested March 4, 1982 in Slobozia. Trial: March 6, 1982 in Ploesti. Sentence: Five years and six months. Prison: I.L. Caragiale, Jud., Prahova. Age: Not known. Occupation: Not known. Married: Yes. Children: Three. Church: Brethren. Home address: St. Vasile Alexandri No. 20, Slobozia. Jud Ialomita, Romania.

Petre Furnea: Arrested March 5, 1981 in Ploesti. Trial: March 6, 1982 in Ploesti. Sentence: Five years and three months. Prison: I.L. Caragiale, Jud., Prahova. Age:

Not known. Occupation: Not Known. Married: Not known. Children: Not known. Home address: St. Zioar No. 1 Ploesti, Romania.

Costel Georgescu: Arrested Oct. 11, 1981. Trial: March 6, 1982. Sentence: Six years. Prison: Ploesti before trial. After trial in I.L. Caragiale, Jud., Prahova. Age: Not know. Occupation: Not known. Married: Yes. Children: Two. Church: Brethren. Home address: Soseaua Vestului 20, Bloc 101, Sc B App. 73, Ploesti, Romania.

Chairman GIBBONS. Mr. Gordon?

STATEMENT OF ERNEST GORDON, PRESIDENT, CHRISTIAN RESCUE EFFORT FOR THE EMANCIPATION OF DISSIDENTS

Mr. GORDON. I am Ernest Gordon, president of the Christian Rescue Effort for the Emancipation of Dissidents.

By way of saving time I would like to answer your question, the reason why people are denied permission to emigrate from Romania. It seems to me that one reason—and one that can be substantiated—is that it is a form of persecution. This seems to be the pattern that has emerged within the Soviet Union and its satellites; namely, that those who show distinctive leadership qualities are punished for being leaders.

That has certainly been true of all those who have been involved with the Helsinki Watch Committees. They have been punished in many ways because of their leadership, which seems to be disturbing to the tyrannies concerned. I would like to mention by way of example a few cases that I submitted in my testimony.

For example, Ioan Teodosiu was arrested for the distribution of Bibles, but more importantly, for passing on information about religious persecution in Romania to the West.

The charges against him were dropped, and he was released, because several Members of Congress interceded in his behalf. They also sought permission for him to emigrate from Romania. He received, not long ago, a notice from the Romanian Passport Office saying that the passport, and, therefore, permission to emigrate, had been denied him. The evidence seems to suggest that he was being punished for daring to pass on information about religious persecution to the western press.

Mr. Capusan, who is the father of Mr. Radu Capusan here on my right, was in the same situation. He is an elderly man, very unwell. He sought permission to emigrate. He received a similar notice at the same time as Mr. Teodosiu. It is interesting to note that, at the very same time the notice rejecting his application for emigration was received, Senator Jepsen received a notice from the Romanian Ambassador in Washington to the effect that permission had already been granted. It was granted on the one hand, and denied on the other.

Another case that I have mentioned which is suggestive of abusing and misusing the freedom of people and their freedom of movement is that of Alexander Nemoianu of Bucharest, who applied for permission to emigrate to this country. His brother is a professor at the Catholic University in Washington. No sooner had this young man applied for permission to leave the country in order to join his brother—the reason, by the way, that he wanted to leave the country with his wife and child was that he wanted to study for the Christian ministry—than he and his wife, who were working at a museum, received dismissal notices. They received notices to the effect that they could not apply for positions at the level of their professional competency. Neither could then apply for positions at the level lower than that of their professional competency. They were next threatened with dismissal from the flat where they were living. They were then harrassed and were told that they would be arrested for parasitism.

So far, up to this date, there has been no information given to us regarding their request for emigration on the part of Alexander Nemoianu and his family.

On the Hill just a month ago, we witnessed the tragic scene of a group of Pentecostal Christians coming to the Hill, seeking intervention, seeking mediation for their families who wanted to emigrate from Romania. You may remember a group of them entered into a pact whereby they would immolate themselves unless that permission was granted. Had it not been for the intervention of Hon. Tom Lantos from California, this terrible act would most likely have been performed. But he was able to persuade the Romanian Ambassador to grant some kind of assurances to these people so this tragic act was not committed.

These examples are fairly typical of many others. They are also typical of what has happened in countries within the control of the Soviet Union. Indeed, in our own experiences in this country we could go back to the study that was made by the Air Force regarding the conduct of American prisoners of war in Korea. That seems a long time ago. But there are certain relevant parallels. One of the reasons, presumably, for the poor conduct of those prisoners of war, within the control of Chinese who had been trained in Russian methods, was that the leaders, those of leadership potential were isolated from the groups they were with. They were taken away and put in severe punishment camps. As a consequence, the morale of the prisoners of war left behind declined.

I mention this as an example of a pattern that emerges within that kind of situation. Thus, in presenting these cases as atypical of the situation in Romania, and of those authorities who continue to violate the freedom of emigration, we recommend that the most-favored-nation status be withheld from Romania until such time that sufficient evidence is provided to show that the requirements of the act are being fulfilled.

Earlier this afternoon, we heard evidence that trade is the cornerstone of our country's relationship with Romania. I would prefer to hear that the cornerstone of our relationship is our commitment to human rights, to human dignity, to human freedom. After all, there are ways of implementing these rights in accordance with the political and diplomatic instruments that have been worked out and have been agreed to by Romania itself.

Thank you very much, Mr. Chairman.

[The prepared statement follows:]

STATEMENT OF DR. ERNEST GORDON, PRESIDENT, CREED

Mr. Chairman, and Gentlemen. I am here to present the concern of those associated with the Christian Rescue Effort for the Emancipation of Dissidents and its purposes, regarding the situation of Christians in Romania who have sought permission to emigrate and have had their applications ignored or denied.

The information I have received from families of such people suggest that Christians have been discriminated against. I attach a list of those known to us who have requested permission to emigrate. In doing so I have to point out that there are no complete lists as yet available. The list I am presenting is that of Christians who have been active in the confession of their faith. CREED along with similar organizations has interceded for them through the good offices of Members of Congress.

As an example I shall cite four particular cases:

1. Ioan Teodosiu was arrested last November for distributing Bibles and passing on information about religious persecution in Romania. The following Members of Congress requested his release from prison and permission for him to emigrate with his wife, who was then pregnant: Sen. Roger Jepsen, Sen. Mark Hatfield, Rep. Jack Kemp and Rep. Don Bonker. He was released from prison on March 9th, 1982. His application for emigration, however, has been denied. He received a notice from the Passport Office to this effect.

2. Liviu Capusan received a similar notice about the same time. His son Radu Capusan is presently living in this country. He has been villified in the government press of Romania for informing the American press of specific cases of religious persecution. Mr. Capusan, the father, has been seriously ill, even so he has been subject to harassment. Senator Roger Jepsen of Iowa, who had interceded in his behalf, received a notice from the Romanian Ambassador in Washington to the effect that he had been granted the necessary permission. This permission, as I have indicated, was subsequently denied.

3. Alexander Nemoianu of Bucharest applied for permission to emigrate about 18 months ago. His brother Professor Virgil Nemoianu of the Catholic University in Washington asked CREED to seek help for him. He has kept CREED informed of the course of events since this permission was requested. Alexander Nemoianu is a Christian who wanted to come to this country, at his brother's invitation, to study for the ministry. He and his wife were dismissed from the museum where they worked. They were sent a notice informing them that they could not apply for employment at the level of their competency, nor seek employment at a lower level. They were denied social services, threatened with arrest for parasitism, and subjected to harassment of various forms. Several requests have been sent to the government in his behalf through the offices of the Romanian Ambassador in Washington.

4. Recently a group of Romanian Pentecostal Christians in this country became so frustrated by the refusal of the Romanian authorities to grant emigration permission to their families that they threatened self-immolation. There is every possibility that this grim act would have been executed had it not been for the intercession of the Hon. Tom Lantos, their Representative in California, and thanks to the good offices of the Republican Study Group. Ambassador Malitza promised the group that positive action would be taken within 14 days.

I present these cases as typical of Romanian authorities who continuously violate the freedom of emigration requirements and recommend therefore the Most Favored Nation Status be withheld from Romania until such time as clear evidence is provided that the requirements of the Trade Act of 1974 are being fulfilled.

Individuals Who Applied for Emigration From Romania

Liviu Capusan, a Baptist who applied for emigration in April 1981. Romanian authorities refused to give permission to emigrate even though his son, Radu Capusan, lives in the United States. Liviu Capusan's address is: St. Bucegi No. 15, Bl. A3, Fl. 9, Apt. 151, Cluj, Romania.

Ioan Todosiu and Ligia Teodosiu, both are Baptist. Residence: St Almasului No. 40 Cluj, Romania. Also, Sabin Teodosiu, new-born child.

Gavrila Giurgiu, a Pentecostal pastor. Residence: St. Lupeni Nr. 8, Cluj, Romania.

Daniel Brinzei, a Baptist pastor. Residence: St. Muntele Mare No. 3 Sector 7, Bucharest, Romania.

Teodor Rus and his wife, Pentecostal church members. Residence: Ciceu Giurgesti no. 317, Jed Bistrita-Nasaud, Romania.

Paul Dragu and his family, a member of the Brethren Church. Address: St. 8 Martie No. 5, Tirgu, Romania.

Emil Pop and his wife, members of the Pentecostal church. Address: St. D Gherea. No. 5, Dej, Romania.

Gheorghe Salai and his family of the Baptist Church. Address: St. Dr. P Groza No. 33, Cluj, Romania.

Ioan Falcusan and his family of the Baptist Church. Address: St. Gheorgheni Nr. 204, Bl. N., Apt. 16, Cluj, Romania.

Pavel Muresan and his family of the Pentecostal Church. Address: St. Merilor Nr. 4, Dej, Romania.

Viorel Tautu and his family of the Baptist Church. Address: St. Caragiale Nr. 21, Dej, Romania.

Ioan Bor of the Pentecostal Church. Address: St. Hasdau Nr. 49, Dej, Romania.

Gavril Sighiartau and his family of the Pentecostal Church. Address: Ciceu-Giurgesti, St. Varga Catalina Nr. 68, Dej, Romania.

Ioan Sporea and his family of the Baptist Church. Address: St. Municii Nr. 14, Resita, Romania.

Daniel Stauceanu and his family of the Baptist Church. Address: St. Presei Nr. 1, Sector 1, Bucharest, Romania.

Petru Truta and his family of the Orthodox Church. Address: Sos Catelul Nr. 6A-Bl. 341, Bucharest, Romania.

George Michescu and his family of the Baptist Church. Address: St. M. Sadoveanu Nr. 35, Turnu Severin, Romania.

Zaharia Ploscaru and his family of the Baptist Church. They live in Motru, Romania.

Haralambie Ploscaru, Jr., of the Baptist Church. They live in Motru, Romania.

Iela Petru and his family of the Baptist Church. Address: St. Alee Liliacului, Bl. 5, Fl. 3, Apt. 16, Caramcebes, Romania.

George Burtea and his family of the Baptist Church. Address: St. Bugorului Nr. 39, Turnu Severin, Romania.

Daniel Chibici and his family of the Baptist Church. Address: St. Crizantemelor Nr. 5, Orcoba, Romania.

Corneliu Ciuca and his family of the Baptist Church. Address: St. Republicii Nr. 8, Apt. 17, Galati, Romania.

Mihai Schiau of the Baptist Church. Address: St. Cintarului 7, Sebes-Alba, Romania.

Teofil Salagea and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Timotei Stef and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Aurel Mihet and his family of the Baptist Church. Address: St. Marasesti Nr. 28, Apt. 4, Arad, Romania.

Alexander Nemoianu, his wife Larissa, and son Andrei, Address: Str. Puccini 4, Sector 1, Bucharest, Romania.

Miora Mick, and his family, Remus and Miora Drasovean (parents), Codruta, Sonia and Renee (children). Address: Strada Plopilos No. 31, Seves, Judetul, Alba, Romania,

Leia Lupulescu, Fiancee of Nicolae Povian (U.S. resident). Address: Str. Carna. No. 19, Jud. Timis, Timisoara.

Elena Bogham, Address: c/o Maria Strafu, Str. George Cosbuc, No. 31, Iasi.

Sylvia Tarniceriu, c/o Pricop Tarniceriu, Str. Cetatuia, No. 48, Iasi.

Anisoara Lungu, and son Laurentiu-Daniel, Address: Timosoara Calea Giroculiu, No. 27, Bloc 27, Sc. A, Et. 3, Apt. 14, Jud, Timis, Cod 1900.

Josif, Eve, Mosi, and Susan Bunica, Address: Str. Co Drul Cosminuliu, No. 28, Blk, 403E, Seara B. Apartment 20, Brasov, Romania.

Dumitruv, Elena, Aurora, Doriana, Constantin Costiuc, Address: Str. Cincepi No. 60, Aurig, Jud, Sibiu.

Samuel, Mariana, Claudia, Samuel, Jr. Costiuc, Address: Str. Noua, No. 10, Sibiu, Jud, Sibiu.

Gheorghe Brasoveanu, Address: Str. Grigore Alexandrescu No. 27, Bucharest.

Gheorghe Mladin, and two of his children, Address: Arad.

Daniel Tibici, Address: Orsova.

Gigi Rogoveanu, Address: Turnu Severin.

Muresan Dumitru, Address: Arcalia, District Bistrita-Nasaud.

Constantin Ioanid, Address: Poterasi No. 20, Bucharest.

Cosminului Coerul, Cr. 28, Brasov, Bk. 403, Apt. 20.

Constantin, Arbeleanu, Address: Str. Alexandre Nr. 17, Bucharest.

Typus Blaj, Basaradi Nr. 6, Constanta.

Gheorghe Podoiu, Alea Constinesti Nr. 1, Bucharest.

Pavel Peana, Str, Trompedului Nr. 125, Bucharest.

Magda Philip, Str. Piatra Craiului Nr. 1, Bucharest.

Pavel Cret, Str. Oltului Nr. 19, Sebes, Jud Arad.

Pitian Ilie, Str. Vite Jilor Nr. 12, Bl 8 Et 4, Apt. 3, Cart, Dacia 11 Iasi.

Chairman GIBBONS. Dr. Apostoliu?

STATEMENT OF DIMITRIE G. APOSTOLIU, PRESIDENT, AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS

Mr. APOSTOLIU. I am Dr. Dimitrie Apostoliu, President of the American-Romanian National Committee for Human Rights. I have with me Mr. Romulus Cruceanu, Mrs. Avgherino Georgeta, Dr. Dimitru Popescu-Falticehi, Mr. Ion Dumitru, and Popovici Alexandru.

As president of the American-Romanian National Committee for Human Rights, organizer, participant and spokesman of Thirteen Romanian Hunger Strikes For Forced Separated Families Reunion in The U.S.A. and for the Restoration of Human Rights and of Freedom of Religion in Communist Romania, and as a Freedom Fighter who served "only" 16 years as political prisoner in Communist Romania's political jails and in the Forced Labor Camp Danube-Black-Sea named "The Canal of Death."

I came today for the 16th time in 7 years before our distinguished elected U.S. lawmakers, themselves dedicated defenders of human rights all over the world, that in my name and in the name of the hunger strikers, to ask the U.S. Congress to stop the most-favored-nation's clause status to terrorist president Nicolae Ceausescu and to his Communist government, until there will be entirely accomplished, the 10 points of hunger strikers:

One. The immediate release of our hostage relatives.

Two. General amnesty for political prisoners and for prisoners of conscience.

Three. The immediate release from political jail and the immediate issuance of passport for Professor Dr. Reverend Gheorghe Calciu Dumitreasa.

Four. The immediate release from the terrible political jail "Gherla" and the issuance of passport for Vasile Preda, one of the founders of: "The Free Trade Union of Romanian Workers" (S.L.O.M.R. in Romania spelling).

Five. The immediate issuance of passports for Dr. Cana and Dr. Brasoveanu, founders of "The Free Trade Union of Romania Workers."

Six. "The Free Trade Union of Romanian Workers" will be registered with Romanian Department of Justice in order to act legally in behalf of its members, as Poland's "Solidarity" free trade union did.

Seven. The officers of Suceava Security's who assassinated the two "Born Again Christians: Ion Feraru of Str Alexandrus Cel Bun, Suceava City and Petru Clipa of Suceava—by shooting them to death because they were reading the Bible, will be put in public trial for crime against humanity, and the widows, and kids of the martyrs will be granted exit visas to the United States of America.

Eight. The years served in political jails, forced labor camps, and forced residence by political prisoners and prisoners of conscience, will be taken in consideration as "years in the field of labor" in the retirement and pension plans of individuals and, in the case of their death, in the retirement and pension plans of their widowed wives and orphaned children.

Nine. There will be abolished the punishment with confinement to psychiatric hospitals for political prisoners and for prisoners of conscience. All U.S. residents whose individual estates were nationalized or took over by Communist government because they emigrated to the United States of America will receive the amount of U.S.A. estate's market value in U.S. dollars.

We are asking that the U.S. Congress stop the most-favored-nation's clause status to terrorist President Nicolae Ceausescu and his Communist government—and we are asking to be stopped right now—not only on grounds of lack of human rights in Communist Romania, but, more than that, on grounds of: "Crimes Against Humanity" perpetrated by Terrorist President Nicolae Ceausescu personal and of course, by his security, the correspondent of USSR's terrible Hitmen State's Agency [KGB].

Facts: Two years before Poland's "Solidarity" was founded, in my native country today Communist Romania, a group of Freedom Fighters founded "The Free Trade Union of Romanian Workers" called in Romania, S.L.O.M.R. This event happened in 1978.

On July 17, 1978, all the founders of The Free Trade Union of Romanian Workers [S.L.O.M.R.] and thousand of rank and file numbers, were arrested, tortured, persecuted, convicted to years and years of hard labor, and confined to psychiatric hospitals.

One year later, one of them Vasile Parasoniv, after his third confinement to a psychiatric hospital, dissappeared without any trace—Christmas 1980, Ploesti, Romania.

Professor Dr. Gerard Low-Bear, of Britain's Royal College of Psychiatry, as a scholar, visited the East European Communist captive nations, included U.S.S.R., the oppressor. He visited underground the families of political prisoners and prisoners of consciences who were confined to psychiatric hospitals to find out what happened to and with the victims. On Christmas 1980 arrived at Vasile Paraschiv's family in Ploesti city. He learned that, only 2 days before his visit, several officers of security—those who arrested Vasile Paraschiv on July 17, 1978, came at this residence and handed to Mrs. Parashiv the jar contained the ashes of the martyr. They told Mrs. Paraschiv that: "Your husband was burned alive by President Ceausescu's order." The President ordered that you, right now have to call up by phone, all this member of The Free Union of Romanian Workers, whose list we already have over here, and to tell them that "Mr. president Nicolae Ceausescu ordered your husband Vasile Paraschiv to be burned alive, that any Romanian worker do not dare to do what your husband Vasile Paraschiv did, in 1978, and the Poland's Solidarity are doing right now."

And Mrs. Parashiv was forced by security's officers to call up by phone all over the night and to tell to her Romanian fellow this terrible crime against humanity of terrorist President Nicolae Ceausescu—The same one terrorist Nicolae Ceausescu who today is expecting that the U.S. Congress grant him with "The most-favored-nation's clause."

The distinguished British scholar, went to Madrid and reported about, to the Conference of Helsinki Agreement's signataires.

"The News World" a New Yorker daily newspaper in its issue of Sunday, December 21, 1981, reported about this new crime against humanity of terrorist President Nicolae Ceausescu, who, as a reward, received in July 1981, the most-favored-nation's clause status from U.S. Congress. Wake up America! Wake up, Honorable

Congressman! The orphans kids of Romanian national hero Vasile Paraschiv, are watching you. God is watching you too.

The orphan kids of Vasile Paraschiv are waiting that you stop the arm of terrorist Ceausescu, their father's assassin.

God is waiting to see you all, not paying him with "the most-favored-nation's clause" but to stop it forever to terrorist Nicolae Ceausescu. God is waiting to see you all, Honorable Congressmen to act on God's way, stopping Breznev's hit man Nicolae Ceausescu by not granting him again with "The most-favored-nation's clause."

March 25, 1981. Suceava City, Romania.

Two born again Christians, Ion Feraru and Perru Clipa of Suceava were traveling with legal Romanian passports having on U.S.S.R.'s visitors visa. They were going to see their relatives in Bucovina of North, that Romanian province annexed by force by U.S.S.R. in 1940—They were reading quietly the Bible. At the Romania-U.S.S.R.'s border, the Romanian border guards and Romanian Security came over. They arrested at place the two Born Again Christians on the charge that they are reading the Bible in train for themselves. They returned them with the first train back to Suceava City. In Suceava City, the Security's arresting officers shot them to death.

Wake up, America! Wake up, Honorable Congressmen!

The orphan kids of Romanian martyr Ion Feraru and Petru Clipa are watching you. They are expecting that you, Honorable Congressmen, will stop the security's officers of Suceava City to kill again. To do again other innocents orphans.

Wake up, Honorable Congressman! God is watching you. God is expecting that you will stop forever Ceausescu's hit men's killing again and again.

On July 17, 1978, Vasile Preda, one of the founders of the Free Trade Union of Romanian Workers, S.L.O.M.R., was arrested, tortured, beaten up so hard that even his wife did not recognize him at his trial. Now he is serving his political term, 8 years of hard labor in the terrible political jail, "Gherla" where he is in solitary confinement, beaten up three times a day. He became a shadow.

His father, Ion Preda, is over here, starving by hunger strike as he did 1 year ago.

Several weeks ago, in the office of one U.S. Congresswomen from New York, Mr. Ion Preda, faced "The Unquilty Angel" Mircea Malita, the new Romanian Ambassador to Washington, D.C., who was invited to her office by Mrs. Geraldine Ferraro. Mircea Malita came together with one of Romania Embassy's officials who at the U.S. House of Representatives hearing on MFN of June 1981 was in the hearing room, as he is today, sitting in the back of Mr. Ion Preda, and taking notes. When Mrs. Geraldine Ferraro raised Vasile Preda's case, Mr. Malita and his fellow said "that they do not know that Vasile Preda is jailed." They had the specific cycinism of Communist killers. How come? This gentlemen Vasile Preda is arrested since July 17, 1978. We do not believe that. That is not possible. Please let us to verify. We need one month and a half to get the information from Bucharest.

One month and a half. Till the congressional hearings will be over. And then there will be 1 more year till the new congressional's hearings. In this time Vasile Preda can die in the terrible political jail "Gherla".

Honorable Congressmen, save the life of Romanian heros Vasile Preda.

Let his starving father, present over here, to see him is still alive.

Over here are Mr. Ion Preda, the father, Mrs. Preda, the mother, and other three sons.

Only one, Vasile Preda, the hero, is still hostage in Communist Romania.

What about "the condition of easing the immigration from Communist Romania? What about the fact that 5 members of a family are over here—the Predas—and only one is hostage in Communist Romania?

If you will stop right now "the most favored nation's clause" status to Communist Romania, in order to be granted with next year, terrorist Nicolae Ceausescu will set free Vasile Preda. Otherwise, Vasile Preda will be still hostage over there. And will be killed by the criminal treatment given to him in jail.

Fasting since the end of May, there are Mr. Valeriu Catarama (father—and Viorel Catarama (son)) of Hinsdale, Ill. They tried to resolve peacefully their forced separated family reunion, with Romanian Embassy to Washington, D.C.

[The prepared statement follows:]

STATEMENT OF DR. DIMITRIE G. APOSTOLIU, PRESIDENT, AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS

Honorable Mr. Chairman, Honorable Congressmen, as president of the American-Romanian National Committee for Human Rights, organiser, participant and spokesman of thirteen Romanian hunger strikes for forced separated families reunion in the U.S.A. and for the restoration of human rights and of freedom of religion in Communist Romania, and as a freedom fighter who served "only" 16 years as political prisoner in Communist Romania's political jails and in the forced labor camp Danube-Black-Sea named "The Canal of Dead."

I came today for the 16th time in 7 years before our distinguished elected U.S. lawmakers—themselves dedicated defenders of human rights all over the world—that in my name and in the name of the hunger strikers, to ask the U.S. Congress to stop the most favored nation's clause" status to terrorist president Nicolae Ceausescu and to his Communist government, until, there will be entirely accomplished the ten points of hunger strikers:

1. The immediate release of our hostage relatives.
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4. The immediate release from the terrible political jail "Gherla" and the issuance of passport for Vasile Preda, one of the founders of: "The Free Trade Union of Romanian Workers" (S.L.O.M.R. in Romanian spelling).
5. The immediate issuance of passports for Dr. Gana and Dr. Brasoveanu, founders of "The Free Trade Union of Romanian Workers"—"S.L.O.M.R."
6. "The Free Trade Union of Romanian Workers" will be registered with Romanian Department of Justice in order to act legally in behalf of its members, as Poland's "Solidarity" Free Trade Union did.
7. The officers of Suceava Security's who assasinated the two "born again christians: Ion Feraru of Str Alexandru Cel Bun, Suceava City and Petru Clipa of Suceava,—by shooting them death because they were reading the bible . . . will be put in public trial for crime against humanity, and the widowes, and kids of the martyrs will be granted exit visas to the U.S.A.
8. The years served in political jails, forced labor camps and forced residence by political prisoners and prisoners of conscience, will be taken in consideration as "years in the field of labor" in the retirement and pension plans of individuals and,

in the case of their death, in the retirement and pension plans of their widowed wifes and orphans children.

9. There will be abolished the punishment with confinement to psychiatric hospitals for political prisoners and for prisoners of conscience. All U.S. residents whose individual estates were nationalised or took over by Communist government because they emigrated to the U.S.A. will receive the amount of U.S.A. estate's market value in U.S. dollars.

We are asking that the U.S. Congress stop the most favored nation's clause status to terrorist President Nicolae Ceausescu and his Communist government to be stoped right now, not only on grounds of lack of human rights in Communist Romania, but, more than that: on grounds of: "crimes against humanity" perpetrated by terrorist President Nicolae Ceauseseu personal and of course, by his security, the correspendent of USSR's terrible hitmen state's agency: "K.G.B."

Facts: Two years before Poland's "Solidarity" was founded, in my native country today Communist Romania, a group of freedom fighters founded "The Free Trade Union of Romanian Workers" called in Romanian "S.L.O.M.R." This event happened in 1978.

On July 17, 1978, all the founders of "The Free Trade Union of Romanian Workers"—"S.L.O.M.R."—and tausend of members, were arrested, tortured, persecuted, convicted to years and years of hard labor and confined to psychiatric hospitals.

One year later, one of them Vasile Parasoniv, after his third confinement to a psychiatric hospital, disappeared without any trace . . . Christmas 1980.

Professor Dr. Gerard Low-Bear, of Britain's Royal College of Psychiatry, as a scholar, visited the East European Communist Captive Nations, included USSR, the oppressor. He visited underground the families of political prisoners and prisoners of consciences who were confined to psychiatric hospitals to find out what happened with the victims. On Christmas 1980 arrived at Vasile Paraschiv's family in Bucharest. He learned that, only "two day before his visit, several officers of security—those who arrested Vasile Paraschiv on July 17, 1978, came at his residence and handled to Mrs. Paraschiv the jar contained the ashes of the martyr. They told Mrs. Paraschiv that: "Your husband was burned alive by President Ceausescu order." The President ordered that you, right now have to call up by phone, all this member of "The Free Union of Romanian Workers, whose list we already have over here, and to tell them that" Mr. President Nicolae Ceausescu ordered your husband Vasile Paraschiv to be burned alive, that any Romanian worker do not dare to do what your husband Vasile Paraschiv did, in 1978 and the Poland's "Solidarity"are doing right now."

And Mrs. Paraschiv was forced by security's officers to call up by phone all the night and to tell to her Romanian fellow this terrible crime against humanity of terrorist President Nicolae Geausescu. The same one terrorist Nicolae Ceausescu who today is expecting that the U.S. Congress to grant him with "the most favored nation's clause".

The distinguished British scholar, went to Madrid and reported about, to the Conference of Helsinki Agreement's signataries.

"The News World" a New Yorker daily new paper in its issue of Sunday December 1, 1981—reported about this new crime against humanity of terrorist President Nicolae Ceausescu, who, as a reward, received in July 1981, the most favored nation's status from U.S. Congress. Wake up America! Wake up! Honorable Congressmen! The orphanes kids of Romanian national heros Vasile Paraschiv, are watching you! God are watching you too!

The orphans kids of Vasile Paraschiv are wainting that you stop the arm of terrorist Ceausescu, their father's assasin!

God, is waiting to see you all not paying him with "the most favored nation's clause" but to stop for ever terrorist Nicolae Ceausescu! God is waiting to see you all, honorable Congressmen to act on God's way, stoping Breznev's hit man Nicolae Ceausescu by not granting him with "the most favored nation's clause.

March 25, 1981, Suceava City, Romania—Two born again christians, Ion Feraru and Petru Clipa of Suceava were traveling with legal Romanian passports having on USSR's visitors visa. They were going to see their relatives in, Bucovina of North, that Romanian province annexed by force by USSR in 1940. . . .They were reading quietly the bible. At the Romanian—USSR's border, the Romanian board guarder and Romanian security came over. They arrested at place the two born again christians on the change that they are reading the bible in train for themselves. They returned them with the first train back to Suceava City. In Suceava City, the security's arresting officers shot them to death.

Wake up, America! Wake up, Honorable Congressmen! The orphan kids of Romanian martyrs Ion Feraru and Petru Clipa are watching you. They are expecting that you, honorable Congressmen will stop the security's officers of Suceava City to kill again. To do again other innocents orphans.

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Several weeks ago, in the office of one U.S. Congresswomen from New York, Mr. Ion Preda, faced "the Ujquilty Angel" Mirgea Malita, the new Romanian Ambassador to Washington, D.C. who was invited to her office by Geraldine Ferraro. Mircea Malita came together with one Romanian Embassy's official who at the U.S. House of Representatives' hearing on "MFN" was in the hearing's room, siting in the bak of Mr. Ion Preda, and taking in notices. When Mrs. Geraldine Ferraro raised Vasile Preda's case, Mr. Malita and his fellow said that they do not know that Vasile Preda in jailed. They had the specifical cinism of Communist killers:" How Come? This gentlemen Vasile Preda is arrested. We do not believe that. There is not possible. Please let us to verify. We need one month and a half to get the informations from Bucharest.

One month and a half till the congressional hearings will be over. And then there will be one more year till the new congressional's hearings in this time Vasile Preda can die in the terrible political jail "Gherla".

Honorable Congressmen, save the life of Romanian heros Vasile Preda. Let his starving father—present over here—to see him till is still alive. Over here are Mr Ion Preda, the father, Mrs Preda, the mother, and other three sons. Only one. Vasile Preda, the heros, is still hostage in Communist Romania. What about "the condition of easing the emigration from Communist Romania? What about the fact that 5 members of a family are over here and only one in hostage in Communist Romania? If you will stop right now "the most favored nation's clause" status to Communist Romania, in order to be be granted with next year, terrorist Nicolae Ceausescu will set free Wasile Preda. Otherwise, Vsaile Preda will be still hostage over there and will be kill by the criminal treatment given to him in jail.

Fasting since the end of May, there are Mr Valeriu Gatarama (father) and Viorel Catarama (son) of Hinsdale, Illinois. They tried to resolved peacefuly their forced separated family reunion, with Romanian Embassy to Washington D.C. they wrote "only" 34 letters (with confirmation of receive) They called up weekly by phone the Romanian Embassy. They paid $3000.00 ransome asked by Romanian security, for the release of Dorel Catarama, abusive and illegally arrested. After Romanian security received the $3000.00 they beaten up so hard Dorel Catarama, that even his wife did not recognize him when was allowed to see him for few minutes at security's headquarter in Bacau City.

Mr. Valertu Catarama and his son Viorel Catarama, joined the hunger-strike for forced separated families reunion. They faced Ambassador Mircea Malita in the office of several U.S. Congressmen and Senators two times. Ambassador Mirgea Malita asked for a week to resolve the case. The week is over, was released Dorel Catarama from jail and receive the passport for him and his family? Mrs Ileana Catarama, Mr Valeriu's Catarama's wife and Mr Viorel Catarama's mother received the passport? Mrs. Micara Panaite (daughter and sister) and her family received the passports?

Not at all. Instead—the hunger strikers Valeriu Catarama and Viorel Catarama . . . were put on trial and convicted because are asked for political asylum in the USA. That is the manner in which the new Romanian Ambassador to Washington D.C., Mircea Malita, accomplished his promise to U.S. Senator Daniel Patrik Moynihan, to U.S. Congressmen, to obtain the passports for Catarama family "by peacefully means" as the Catarama's tried "only" 34 times before mr Mircea Malita "the unguilty angel" with a smiling face, came to his new assignement to "ask for time" because he just arrive and does not know nothing.

Mr. Malita forgot that all other Romanian officials from Romanian Embassy—excluded him—are the same who were interfered years ago with this cases of families reunion, and one of them is accompanying him to Senators and Congressmen's offices.

Honorable Congressmen, do not permit to Mircea Malita, Ceausescu's hitmen, to fool up you, with lies. Send him back to Communist Romanian for his indecent attitude, and contempt of U.S. lawmakers. And stop once for ever "the most favored nation's clause to terrorist President Nicolae Ceausescu and his Communist government till the ten points of hunger strixers will be accomplished.

Constanta City, 1978—Two sister Aurelia Enache and Mihaela Enache of Constanta, after a lei of security's harassements against their family,—send to me a letter by underground ways and started a hunger strike asking passports for themselves, for Mrs Mihaela Enache's son Adrian Enache, 12, for their brother Mihalache Enache and for their mother Ecaterina Barladeanu.

Finaly, tehere were issued only two passports: for the two sisters and a third one for Mrs Mihaela Enache's son Adrain, Enache, 12. Mrs Ecaterina Barladeanu and her son Mihalache Enache were told by security to come over two or three days later, because their passports were not signed up by the Commander.

The Enache's sister and Mrs Mihaela Enache's son Adrian Enache, 12, left immediately by train to Vienna, Austria. Ovet there they asked and were granted political asylum by the high Commissioner for refugees of U.N. of Geneva (Switzerland).

Mrs. Ecaterina Barladeanu went to security, instead to pick up her passport, . . . was herself picked up by security's officers and confined to a psychiatric hospital.

After arrived in the USA as political refugees in 1980, Enache's sisters appealed to US Senate and US Congress in behalf of their hostage mother and brother. Only the strong intervention of Honorable Senator Henry M. Jackson, succeeded to obtain the release from psychiatric hospital of Mrs. Ecaterina Barladeanu. But not her passport. After US Senate's hearing on "MFN" of July 1981,—later in August, Mrs Ecaterina Barladeanu and her son Mihalache Enache received the so called "Big Formes"—applications for passports. On December 1981 they were told that they have the approval and there is a matter of days the issuance of their passports.

But since Christmas 1981 to date—July 12, 1982,—not only that Mrs Ecaterina Barladeanu and her son Mihalache Enache did not received their passports, but their mail was cut off and Enache sisters do not know if their mother and their brother are not again arrested and confined to a psychiatric hospital. This is the way, in which, terrorist President Ceausescu and his Communist government are complying with "the condition of easing the emigration from Communist Romania"—condition with which, Ceausescu personal, close agreed with the USA upon "the most favored nation's clause" in 1975, 1976, 1978, 1979, 1980 and 1981.

Honorable Congressmen, please apply to terrorist Ceausescu the same part of coin in the matter of "the M.F.N." and stop it for Communist Romania, right now. Doing so, Mrs Ecaterina Barladeanu and her son Mihalache Enache, will be set free, by terrorist Ceausescu in the hope that next year will be granted with "the MFN" suspended now.

Constanta City, 1980—Ion Pesca, a student with Politechnical Institute of Bucharest, was expelled from university, because her aunt Mrs Dunitru and her son Mr Ion Dumitru left legally Communist Romania with Stateless Passports obtained after a sustained fight with security, and settled them selves in New York City.

Ion Pesca, returned to the little town Nicolae Balcescu, District of Constanta, were was arreested, investigated under hard pressure by security of Constanta, and send to work as a simple worker, today over here, tomorrow being laid off, and then after months of unemployment again allow to work as a simple worker.

Ion Pesca, tried to apply for emigration. But the security did not give to him the application form on the ground "that he do not have any relatives in the U.S.A. But he was expelled from Politechnical Institute because his aunt and his cousin—the hunger striker Ion Dumitru—are New York City residents.

Mr. Ion Dumitru, joined the Romanian hunger strike for forced separated families in 1980 and in 1981. Terrorist Sehusescu was granted "the most favored nation's clause" status in 1980 and in 1981 by the U.S. Congress. But Ion Pesca was not granted exit visa by terrorist President Ceausescu. Now, you, honorable Congressmen, stop "the M.F.N" to terrorist Ceausescu. And, in order to receive it next year, Ceausescu will set free Ion Pesca, the student expelled from university because has relatives in the USA.

BUCHAREST, 1979—Prof. Dr. Reverend Gheorghe Calciu Dumitreasa, a professor with Christian Orthodox Institute of Theology of Romanian Christian Orthodox Patriarchate former political prisoner for 16 years, released from political jail on APRIL 1964 when the first political mercy was issued by Communist government—was arrested by security officers even in the office of Romanian Christian Orthodox Patriarche Justin.

The so 2 called "Patriarche Justin, an old USSR's KGB agent used by KGB in the "the peace movement"—invited Prof. Dr Rev Gheorghe Calciu Dumitreasa to his office and then, "Patriarche Justin" called up the security to arrest him. Prof. Dr. Rev. Gheorghe Calciu Dumitreasa was tortured, prosecuted and convicted to serve

10 years of hard labor term in political jail, being charge that . . . as a professor of theology he explained the bible to his fellow students of the theological institute of Bucharest. All over the world, in Europe, in Australia, in Canada, in the USA, the Romanian anti-Communist exile organized demonstration of protest for the immediate release of Prof. Dr Rev Gheorghe Calciu Dumitreasa. Chief of States, Premier Ministers, Senators, Representatives, His Holiness the Pope Chiefs of different religious denominations all over the world protested and interferred directly with terrorist President Nicolae Ceausescu. But Prof. Dr. Rev Gheorghe Calciu Dumitreasa is still tortured by Nicolae Ceausescu personal order in the darkness of a political jail cell.

We, the hunger strikers, are asking the U.S. Congress to stop "the most favored nation's clause" status to terrorist President Nicolae Ceausescu and to his Communist Government, in order to obtain the immediate release of Prof. Dr. Rev. Gheorghe Calciu Dumitreasa.

Washington D.C. MAY, 1982—The Honorable U.S. Senator Daniel Patrick Moynihan, submitted to President Ronald Reagan, at the White House on June 1, 1982 a letter signed by 40 U.S. Senators, from which I "quoted"

"Document and other information reaching the Helsinki Commission, private organisations such as Amnesty International and Radio Free Europe . . . indicate ample use of prisons, labor camps and psychiatric facilities by the Romanian authorities in the apparently deliberate harassment of Baptists, Pentecostals, Orthodox and other religious groups, the exclusion of believeres from educational institutions and jobs.". . . extraordinary obstacles placed in the way of would be emigrants, including job dismissals and demotions, intimidation, military conscription, and the lengthy separation of families and affianced couples. In a region of the world noted for the general deprivation of human rights, and civil liberties, ROMANIA has distinguished itself by enforcing the separation of more affianced couples than in all of the rest of Eastern Europe, including the Soviet Union, put together."

"Finally, we remind you, that there are a number of instances of Romanians who have tying to emigrate to join family members in the West for as long as a dozen years. These long unresolved cases simply must be resolved if Romania is to continue to enjoy most favored nations trading status.

"M.F.N. was granted to Romania in 1975 in hopes it would encourage freer emigration has fallen off repression at home has continued unbatated. We hope that my our administration will be able to report to Congress greater progress on these issues than we are currently aware has been made. At this point, we are unpersuaded that another extension of M.F.N. for Romania will have the desired effect."

In the name of hunger strikers, I urged you, honorable Congressmen, to agree with the content of honorable US Senators signataries of the above quoted letter, and analysing the facts and only the facts, to stop the most favored nation's clause to terrorist Nicolae Ceausescu and his communist government whose "free emigration" is the most repressive one from all east European captive nations.

Let see the substatial facts "about basing the emigration from communist Romania."

On April 1964 was issued in Communist Romania the first political mercy. Then was created the so called "Office of Passports and Visas." Those who wish to travel overseas to different International Congresses to emigrate in order to reunify their families in foreign countries have to go to this office, to get an application, to fill it out and to wait one month for the response. If rejected, the individual has the the right to fille, up a contestation to the so called "Governmental Commission for Passports and Visas. That was all. You have to fill out only an application.

Today, after terrorist Nicolae Ceausescu committed himself "to ease the emigration from Communist Romania" in order to be granted "MFN" and he was granted with in 1975, 1976, 1977, 1978, 1979, 1980 and in 1981, the way in which Ceausescu "eased the emigration" is as fellow:

A would be emigrant has to obtain first the approval from:

1. The Committee of worker people from the factory or company where he is working.
2. The Communist Party Organization of his place of work.
3. The Trade Union President of his place of work.
4. The Communist Party Organization of the building where he live.
5. The Communist Party Organization of street where he live.
6. The Communist Party Organization of the borough in which he live.
7. The Communist Party Organization of the city in which he live.
8. The Communist Party Organization of the district in which he live.
9. The Committee of Worker People of the borough in which he live.

Then he will obtain "the butterflies"—application for application, which is obtained from the militia where he live.

11. Finally "the big forms" from the militia where he live.

12. He has to wait for the approval of the governmental commission for passports and visas.

Then, if rejected, has to do contestations to a lot of party and security's offices.

Each of the above 12 steps take several months to be accomplished. The would be emigrants are waiting there, in the waiting time being subject to security's harassment: Interviews under hard pressure all over the night. The next day the individual has to report to his job.

Threats with prosecution, with confinement to psychiatric hospitals. They are layd off from their jobs and let without any possibility to support them self and their kids. Then are arrested and convicted for parasitim because they are not working.

The mail with their relatives in the USA is cut off.

And even they are not arrested, in fact they are jailed under the free sky. The sky become in Communist Romania the ceiling of inhabittant's jail.

Over here, their relatives are forced to go on strike to obtain their release.

And so happened that ever here, in the USA, since May 17, 1975 to date there were 13 Romanian hunger strike for forced separated families reunion in the USA and for the restoration of human rights and of freedom of religion in Communist Romania.

Ion Dumitru of New York, is striking for his cousin Ion Pesca, hostage in Nicolae Balcescu, Constanta District.

Aurelia & Mihaela Enache of NY are striking for their mother Ecaterina Barladeanu—twice confined to a psychiatric hospital and their brother Mihalache Enache, hostages in Constanta City.

Aurel Marinescu & Manon Marinescu (wife) U.S. citizens, are striking for Mrs. Manon Marinescu brother, whom the security tried to arrest on June 6, 7, 8, (but he went in hiding) because apply for emigration.

Ion Sala of NY is striking for his wife Saveta Sala and his kids Ion Claudio Sala, 5, and Ioana Amalia Sala, 3, hostages in Lazareni-Bihor.

Gheorghe Sala of NY, is striking for his financee Maria Steff, hostage in Gura Riului, Diatrict of Sibiu.

Simion Lucaciu of NY, is striking for his fiancee Florica Bogosel and her daughter Zina Pavel, hostages in Vinga-Arad and for his married daughter Emilia Fissl, her husband Rainer Fissl and their daughter Diana Fissl, 2, hostages in Saga-Arad. They tried to apply before for West Germany, Mr. Rainer Fissl being a German from the German ethnic group living in Romania. But to date they got "only" 8 rejections. Mrs. Georgeta Avgerino, U.S. citizen of NY, is striking for her married sister Elena Enoiu, her husband Constantin Enoiu, and their son Andrei, hostages in Bucharest. They were removed from their jobs, and since three years (1979) two date they have four rejections and were threatened with confinement to psychiatric hospital.

Ion Lucaciu & Maria Lucaciu, U.S. citizens of NY are striking for Mrs Lucaciu's married brother Liviu Banc, his wife Maria Banc and their son son Adrian Banc, hostages in Brasov City. They applied since 1979. Traian Cop & wife Maria Copil of NY are striking for their brothers and their families whose applications were rejected since 1978. Romulus Cruceanu of NY is striking for his wife Daniela Cruceanu whose application is atill rejected since 1980. Mr. Cruceanu has even a letter signed up by Romanian Ambassador to Washington, D.C. by which Mr. Cruceanu is officially annonced tha the Romanian Government rejected her application to be reunite with her husband in the USA!

Prof Alexandru Popovici of Parsippany, New Jersey, is striking for his mother Ana Popovici, hostage in Sibiu, whose application for a simple visit is rejected since April 1979.

Gheorghie Stancu & wife Maria Stancu of NY are striking for their kids Nelu-Marius Saca and Laura Alina Talmaier, for Mrs Maria Saca Stancu's parents, sister, brother and cousin hostages since 1979 and whose applications are still rejected since 1979.

Prof. Dr Dumitru Popescu-Falticeni, from East Granby, Connecticut, a famous surgeron who saved tausends of human beings' lives, came today to appeal to the U.S. Congress to save the life of his brother Paul Adrian Popescu and his wife Viorica Popescu, hostages in Bucharest and subject to security's harassement since 1978. Doina Grecu-Cosambescu os NY who is striking for her father who served 16 years as political prisoner, and his family hostages in Bucharest having to date to rejections since 1979.

Bob Grace, U.S. citizen of N.Y., is striking for her sister Nadia Mitrea, her husband Vasile Stelica Mitrea and their sons Marius Daniel Mitrea, 9, and Razvan Mitrea, 5, hostages in Bucharest—whose applications are still rejected since 1967. Fifteen years!

Constantin Oncioiu, U.S. citizen of N.Y., is striking for his brother Dumitru Oncioiu, hostage in Bucharest.

Maria Carmen Salvetiu, U.S. citizen of N.Y., is striking for her brother Lucian Salvetiu of N.Y. and his family whose applications are still rejected since 1975. From seven years!

Mrs. Mircela Nita of N.Y., is striking for her husband Constantin Nita and her son Florin Dragan, hostages in Bucharest since 1980!

Mr. Nicolae Windish of N.Y., is striking for her mother Agripina Windisch, hostage in Bucharest, whose application for a simple visit was rejected 5 times to date.

Prof. Dr. Bratu, President of the Romanian National Counsel, American Section, is striking for his son Dan Bratu and his family hostage in Bucharest—whose applications were rejected 8 times to date.

Ion Pribeagu and wife Silvia Pribeagu of Detroit, Michigan, are striking for Mr. Pribeagu parents, twin brothers, and two sisters, hostages in Danila-Suceava—whose applications are rejected since 1978!

Paul Placinta and wife Lidia Placinta of Detroit, Michigan, are striking for their three daughters and their son and for Mrs. Pribeagu's brother and his family, hostages in Suceava City, having 15 rejections to date.

George Badescu and wife Rodica Badescu, U.S. citizens of N.Y., are striking for Mrs. Rodica Badescu's brother Radu Lupsan, his wife and two sons, hostages in Bucharest, whose applications are still rejected since 1976!

Mrs. Adriana Focsaneanu of New York, is striking for Dan Focsaneanu, husband and Raluca Foristina Focsaneanu, 12, their daughter, hostages in Piatra-Neamt City since 1981.

Mrs. Letitia Serban of N.Y. is striking for her husband Ion Serban and her daughter Stefania Serban, hostages in Bucharest.

Vasile Romosan, DDS and wife Valerica Romosan, DDS of N.Y., are striking for Mrs. Valerica Romosan's sister Valentina Nastase, DDS, hostage in Bucharest.

Mrs. Eugenia Predescu, DDS of N.Y., is striking for her family, hostage in Bucharest since 1979!

And, here you are honorable Congressmen an entire list of hunger strikers and their relatives hostages in Communist Romania, a substantial proof of terrorist Nicolae Ceausescu's "type of easing the emigration" and of respecting "the universal declaration of human rights of UN," of "Basket Three of Helsinki Agreement II" and "the MFN" . . .

In the name of hunger strikers, I urge you, honorable Congressmen, to stop right now "the mfn" to terrorist President Nicolae Ceausescu and to his Communist Government, because, only doing so, Ceausescu will set free the hostages, hoping that, in this way, will be granted "the mfn" next year.

Now, let's see and the other human rights in Communist Romania, under the Stalinist dictatorship of terrorist President Nicolae Ceausescu: Freedom of free speech and of assembly.

In Communist Romania there is only a political party: the Communist one. The National Peasant Party Iuliu Maniu and the National Liberal Party Ion Bratianu and George Bratianu, were abolished by Communists in 1947. Recently Nicolae Ceausescu ordered a new wave of terror against the survivors of above mentioned political parties. After served ten of years as political prisoners, the survivors were given again forced residence, most of them being again arrested and prosecuted. Especially there are under special kind of permanent surveillance and harassment the former file and rank members of the National Peasant Party Iuliu Maniu. Mr. Corneliu Coposu, former Adjunct General Secretary of the party.

The former members of file and rank of the Free Trade Union of Romanian Workers—"S.L.O.M.R" (in Romanian spelling) are detected and again arrested by security by tausends.

The relatives of miners who did the strike on Jiu Valley in 1976, are to investigated under hard pressure by security and the former striken miners are again arrested by hundreds.

There is a new official waive of terror against any kind of religious denomination worshipers who were arrested by tausends. There was expelled from party lot of believers in a new cult inspired by yoga and other Asian's religions. Even leaderships members of Central Committee and of Counsel of Ministres were arrested, investigated and prosecuted.

Freedom of press and communication—The press & mass media are under direct party's control and censure. There is any news paper, magazine, revue, radio or TV program, of an opposition party or group or organisation allow to exprime other point of vue, independent of the Communist Party's one.

Freedom of arts and expression—There are any kind of private bookpublishing houses, in Communist Romania. The writers are forbiden to write anything criticizing the party. The criminal Cod of Communist Romania provide sanctions from 5 years to life for "unpublicable manuscripts" found out at a writer. The writers receive directions from the Central Committee of the Communist Party—to write and to create poetry, novels, theatre and film scripts according to the "line of party's propaganda". The artists do not have their sculpture or painting buyed if they are not for Communist Party's propaganda's use.

Conclusion—For the above reported flagrant violation of human rights and even crimes against humanity perpetrated by terrorist President Nicolae Ceausescu and his Communist government, and in particular for the express persecution of would be emigrants, as even the President of the USA was warned by Hon. US. Senator Daniel Patrick Moynihan's letter signed by 40 US Senators and permited to the White House on June 1, 1982.

In the name of hunger strikers, I am adding my voice to the voice of even the President of the USA Ronald Reagan who by his message to US Congress of June 2, 1982 warned the Romanian Communist Government that "the waiver of Jackson-Vanic amendment for Romania is "seriousely jeopardized by the deccease on immigration and the persecution of religious believers by Romanian Communist Government" and I ask that the U.S. Congress stop right now "the M.F.N" status to terrorist President Nicolae Ceausescu and his Communist government, because only doing so, terrorist Ceausescu will be forced to set free the hostages and to accomplishe "the ten points of hunger striker"—to have "the MFN" granted next year.

Down terrorism!
Down Communism!
Up Jesus!
Up Ronald Reagan!
Long live to freedom!
God bless America!

Chairman GIBBONS. Let me interrupt. We can read your statement. Could you summarize for us? You are only about a third of the way through your statement. We have other witnesses, a whole host of them tomorrow. Now, I am interested in your story, anything new to our information here. I am going to have to say that we just will have to prevent you from reading your statement. I will give you 3 minutes to summarize the remainder of it.

Mr. APOSTOLIU. Yes, sure.

Chairman GIBBONS. Your full statement will appear.

We thank the entire panel.

Our last panel of witnesses consists of Dr. Wayne Van Gelderen and Dr. Walter Handford.

STATEMENT OF WAYNE VAN GELDEREN, PAST PRESIDENT AND MEMBER, EXECUTIVE COMMITTEE, CHRISTIAN LEGAL DEFENSE AND EDUCATION FUND; ALSO, PASTOR, MARQUETTE MANOR BAPTIST CHURCH, DOWNERS GROVE, ILL.

Mr. VAN GELDEREN. We shall be brief. Dr. Handford and myself visited in January, with Dr. John McLario, as a team from the Christian Legal Defense and Education Fund, to see if we could attend the trial in Ploesti for the 13 that were tried for Bible-smuggling. They moved the date on us and then we tried to see the defense attorney. We went right to the American Embassy, got briefed from them before we did anything, and they took us.

In fact, we couldn't have gotten to see the defense attorney had the Embassy not driven us in their car with their interpreter, forcing him to talk to us. McLario was able to get some damaging statements from them which they tried to get back by roughing us up at the airport. They took one of our men from us and they early in the morning took a 70-year-old man, Dr. Nims, then they cut our phones and bugged our rooms. We had to go outside to get a telephone to the Embassy. Then they harassed us continually. Security agents were on our tail all the time.

You could recognize them. All you had to do was walk fast down the street, come back, and the same guy came back after you. All day long they were there.

We went to the same First Baptist Church. Dr. Handford preached there. An earlier witness mentioned that. There are two pastors there. One is a godly man named Brenzay, and the other is a stooge named Sunia. All the Baptists know him. So does the American Embassy. We were able to interview him later on and accuse him of being a traitor.

There's about a half million Baptists. One of the reasons the Romanians are upset is the Baptists are growing—120,000 baptisms a year. Several thousand Bibles are allowed in legally. They have 20,000 converts and they all stick. Seventy percent in the churches are 25 and under. The churches are packed. I was thrilled. I preached in five of those churches, packed wall to wall. I saw brave, noble pastors. Their feeling was that Romania is pulling our leg and they are willing to suffer if you would suspend the MFN because the other method has not worked. If you would actually suspend it—not slap their wrists or threaten punishment when you know you are never going to do it.

I raised five children. I learned never to threaten if I didn't mean to fulfill the threat. I am afraid our stick is gone. I do think if you suspended MFN with the understanding a year later it could come up again for review it might do some good. The word I get from behind the curtain is they are willing for you to take the chance as far as they are concerned. They are willing to suffer. They feel that's the only thing that would help. They are noble people. They understand liberty like we do, like we used to understand it.

I beg you. I come representing several organizations—I'm the treasurer of the Baptist World Mission, the vice president of the Fundamental Baptist Fellowship of America, pastor of my church, member of the executive committee of Christian Legal Defense. I do feel that this would be worth a try.

I am going to skip all the rest and leave it with you there.

[The prepared statement follows:]

STATEMENT OF WAYNE VAN GELDEREN, PASTOR, MARQUETTE MANOR BAPTIST CHURCH, DOWNERS GROVE, ILL.

The United States has many times renewed the "Most Favored Nation Status" with Romania and received assurances of the observation of human rights including religious rights as defined by their own constitution and by the Helsinki Accords. In spite of the assurances, the Romanian government has flagrantly abused religious groups and their rights and have misused emigration privileges in the process.

On January 6, 1982, Dr. John McLario, Attorney; Dr. Walt Handford; and myself left for Romania as representatives of the Christian Legal Defense and Education Fund. Our purpose was to assist thirteen Christians who were under arrest for bringing Bibles into Romania. Their trial was set for January 10th in Ploesti. Upon word of our coming, charges were dropped against eleven of the thirteen. Silviu Giota and Costel Georgescu were still to be tried. The trial date was postponed indefinitely, so we attempted to see the Defense Attorney-Advocate Flores of Ploesti.

Finally we just barged in, and he saw us with another attorney. American embassy personnel acted as interpreters for us. In this session, McLario compared the charges raised against the Christians with the Helsinki Accords signed by the Romanian government and pointed out grave discrepancies.

Dr. Curtis Nims of the East-West News Service was to have been with us. He joined us on Friday, January 8th. He was rudely taken from the hotel lobby on January 11th and was taken from his room on January 12th early in the morning to the airport and ejected from the country. Our phone lines went dead and we had to go into the streets to a pay phone to call the Embassy. We were shadowed constantly, our rooms bugged, and our baggage searched. We followed carefully the guidelines given to us by the American Embassy as to how to move effectively and legally in this country.

While there, we preached in five churches several times. We met brave and noble pastors and people. These people are not radicals or revolutionaries. They try to be good citizens but will not give up their religious liberty. Furthermore, they are aware of the Helsinki Accords with the guarantee of certain religious freedoms including religious writings needed for worship. Another great concern was the reduction of the educated clergy of the Romanian Baptists by curtailing drastically the number of candidates allowed to enter their seminary. There also appears to be a pattern of charging Bapitst ministers who were leaders and threatening them with prison. Then there would follow an office of emigration for them and their families. This policy could and has hurt the Romanian Baptist Church. Furthermore, it seems to be a violation of emigration procedures and thus forbidden under the Trade Act.

In the past, the procedure of the United States has been to threaten to remove the trade status and hope the threat would help the cause of freedom. However, since the trade privilege has never been revoked, the Romanians seem to feel that it will never be revoked. So they play the game to the hilt with us feeling the outcome will be the same as in the past. It does not seem right that we play games. We ought to stand on principle. Why should we help a nation that violates documents signed by itself that guarantees human rights? In the discipline of children, parents are told never to threaten punishment if they do not mean to carry through. Otherwise the admonitions will fall on deaf ears. We ought not threaten the removal of a trade privilege if we do not intend to do it.

It is understood that the present status has some advantages for us. Again when weighed against the suffering of a numerous and noble people, it would seem that this should not be a factor. Also there are probably those who are hurt by the present status and would be helped by its abolishment. This, too, should be discounted as a factor.

I entreat that the Congress should remove "The Most Favored Nation" status for the coming year subject to review next year. This would be in keeping with the integrity of our Nation as the "keeper of the flame" of basic human rights and dignity. Why should we account Romania as a "favored nation"? Why should we accord it special privilege at this time?

As a Baptist minister, I and my church, the Marquette Manor Baptist Church, Downers Grove, Illinois, entreat the Congress to act decisively on principle. As Vice-President of the Fundamental Baptist Fellowship of America in Sympathy with the Baptists of Romania, I ask for action consistent with our national position on religious liberty. As Treasurer of Baptist World Missions with concern for our worldwide cause, we ask for action. And as a member of the Executive Committee of the Christian Legal Defense Fund, I ask for righteous judgment. This time—let's do it—and cease being a "paper tiger."

STATEMENT OF WALTER HANDFORD, PAST PRESIDENT AND MEMBER, EXECUTIVE COMMITTEE, CHRISTIAN LEGAL DEFENSE AND EDUCATION FUND; ALSO, PASTOR, SOUTHSIDE BAPTIST CHURCH, GREENVILLE, S.C.

Mr. **Handford**. My entire statement is in there also.

The hour is late. We believe, actually, people there were brave and noble people. I talked with the pastor that was talking about the supposed 5,000 Bibles brought in. He said that four or five Bibles come in every week from the Paris Bible Society, which, of course, is a drop in the bucket to fulfill the needs of 20,000 Baptists every year. We believe that the Bible really is in the balance on the matter.

Curtis Nims, the one put out of the country, made the offer to the Romanian Government to send in 100,000 Bibles legally along with $100,000 worth of medical instruments if they would take the Bibles along with the medical instruments, and they were refused, because the Government there doesn't want the Bible. The principles of the word of God are those things that are giving the courage and the strength to these men.

They were not dissident. They are loyal men. The Christians there are unusually loyal people. We were accepted in because Dr. Nims was a veteran, had been there many times. They knew we were responsible people. We were able to talk directly with these people and spend time with them, over a week. We found them wonderful folk.

I second the suggestion that Dr. Van Gelderen made. Let us give this method a chance. We suggest that you withhold the most-favored-nation status for at least a year and try to get the attention of the Government in these very serious human rights matters.

Thank you so much.

[The prepared statement follows:]

STATEMENT OF WALTER HANDFORD, PASTOR, SOUTHSIDE BAPTIST CHURCH, GREENVILLE, S.C.

I am Dr. Walter Handford pastor of the 4,600 member congregation of Southside Baptist Church in Greenville, South Carolina. I also represent the Southwide Baptist Fellowship, a group of several thousand independent Baptist churches across the southern states. In addition, I am a member of the executive committee of the Christian Legal Defense Foundation and of the American Association of Christian Schools.

I, along with two friends (Dr. John J. McLario, an attorney from Menomonee Falls, Wisconsin, and Dr. Wayne Van Gelderen, a pastor from Marquette Manor Baptist Church in Downers Grove, Illinois), was in Romania from January 7 to January 13, 1982. We met Dr. Curtis Nims, a retired American Baptist pastor from California, in Romania on Friday evening, January 8, by pre-arrangement. Our purpose in visiting Romania was to intervene on the behalf of Christians who were in jail and awaiting trial for distributing Bibles.

Although what we were doing was completely within the law of Romania, we received no cooperation from the government to make the contact about the prisoners. We were able to learn the name of the defense attorney defending Dr. Silviu Cioata and Costel Georgescu in Ploiesti. We were able to spend about an hour-and-a-half with this defense attorney. He was evasive about what the charges were and would only say that they had contraband in their possession. We asked if the contraband might include Bibles, and he said that perhaps it did include Bibles. We learned that these Christians, along with fourteen others, had their homes forcibly searched with a great deal of harrassment from the police, and all went to jail. Fourteen of these were released prior to our coming, but the two were still there and waiting to be tried. We asked the defense attorney if these men were reputable men, and if they had had any prior difficulties with the law. His response was that these were very responsible, good citizens, and that they had had no previous difficulty with the police. It became obvious to us that the real crime which these men had committed was simply in having the Bibles available to distribute to others.

We had excellent contact with some of the Baptist pastors and their wonderful people in the city of Bucharest. One of these men, Pastor Talosch, pastor of Mihai Bravu Baptist Church, was under surveillance, and has since been interrogated because he had had contact with us. The government has sent papers to him to say that their church building is to be torn down. Up until the time that we left, no arrangements have been made for a meeting place for this church of 650 people—the second largest Baptist church in Bucharest—to meet. The pastors that we met with told that the government had constant surveillance with secret police in their services. This was obvious. The first night that we were in Pastor Talosch's church, one of his men drove us to the hotel, and we knew that we were being followed. The man was taken the next day to the police station and interrogated for several hours about a supposedly fatal hit-and-run automobile accident. This, of course, was simply their means of harrassment, since most of the questioning had to do with the Americans that they had been with the night before. Any freedom of religion in Romania is in word only. The pastors are interrogated frequently about what they are doing, and they are supposed to get permission to have public services or to have any speakers other than themselves.

We did not find these pastors subversive, disloyal, nor attempting to undermine their government. We found them to be good Romanians, loving their country and their people. They, of course, perhaps could have left the country, but they have chosen to remain and meet the spirtual needs of these Christians.

Christian young people in Romania have difficulty being able to go on to the University without registering themselves as Communists. Christian young people who do not believe in Communism's dialectic materialism are unwilling to pledge themselves or perjure themselves. Therefore, their education is very severely restricted. Religious persecution takes many forms in Romania. Christians are not advanced in their positions at work. If they become too vocal in their faith, they lose their jobs, and therefore are labeled "parasites" on Society. If they continue this way long, they are taken to jail. During the time in jail they are worked on to become informers for the secret police. If they refuse to do this, they are released, but only for a short time. Then follows a series of imprisonments which leaves them broken people.

We feel that the Baptist people whom we met in Romania were brave, dedicated people. We ask that the Favored Nation Status of Romania be examined carefully in the light of documented religious persecution.

Chairman GIBBONS. The temptation is great to do what you suggest.

We have had three Presidents since this procedure was developed and all three of them have recommended we continue to allow it to proceed. We have a State Department and people over there listening and trying to feed back to us what their best judgment is.

Sometimes it is a little presumptuous for a little Member of Congress from Florida to stand up and say well, you know I know more about the subject than you do, but I do have that authority and that power. It is just a question of how we exercise it and whether it is a wise exercise of power. It is the same kind of problem that Solomon faced; his decisions. It gets a little intimidating.

What in your opinion would happen if we tried that for a year and the Romanians just cut off——

Mr. HANDFORD. I do not think they are going to do that.

Chairman GIBBONS. Why do you not think they will do that?

Mr. HANDFORD. I believe there are too many things they need from us as far as concessions. That is the reason they have gone ahead with some of these things. In the agreements, for instance, the Helsinki Accord, their following of the principles of it have been paper only, yet they still are willing to take these chances because there are some things they can gain from us; there is political advantage they can gain from us.

I think they want to maintain the relationship.

Mr. VAN GELDEREN. I think they would try to repair it quickly. They are second from the bottom in Eastern Europe in economic problems. I do not think they could survive any more disruption. I think they would attempt to do something immediately.

That is the feeling of the Romanian people. They all feel that they would come running, but they feel that you are just not going to do it; and I think it is time to do something.

After all, this is not just a trade agreement. This is a most-favored-nation trade agreement.

Chairman GIBBONS. It is really a nondiscriminatory type treatment. Our trade with them is not that great. They are not that dependent upon us. We are not that dependent upon them. The problem as I see it is that we have a weak reed with which to thrash this problem.

Mr. VAN GELDEREN. But it is enough to make the difference. Maybe you can think of some way to do more than you have done before.

Mr. HANDFORD. We think simply the slap on the wrist we have been able to do before has not accomplished what we want to do. Therefore we are asking for something more. Maybe as Dr. Van Gelderen said you have another alternative that would be stronger than what we have done before.

The testimony of these people here preceeding us was very moving to me. I appreciate your hearing them. Those were the kind of people that we contacted there. These people are serious people.

Chairman GIBBONS. How long did you stay in Romania?

Mr. HANDFORD. For a week. We were able to be in their homes. We were able to be with their families. We were able to be with their children. We were able to see them as people.

I never will forget the people there as they would say, they could not speak English, of course, but their word peace is "pace." They would greet us. Older women there in the congregations would kiss our cheeks and say "pace" and tears would run down their cheeks. They recognize that our people sent us over there because we were concerned about them and about the very things that were affecting them as far as their loss of freedom.

Chairman GIBBONS. Dr. Van Gelderen, you were there a week also?

Mr. VAN GELDEREN. Yes. The Embassy said that is about as long as we could be tolerated in the country. It would take them a week to figure out what to do with us.

Chairman GIBBONS. I do not expect you to go back any time soon.

Mr. VAN GELDEREN. I would like to go back. I was thrilled. I saw revival and blessing that you do not see in America.

Mr. HANDFORD. You saw dedication on the parts of these people. They came every night to services. Unannounced services.

Mr. VAN GELDEREN. We preached illegally. There is no way to get legal permission. Every layman that drove us in his car somewhere got called in. One man got charged with causing a fatal accident. It was a lie. It was a real problem to them. The Embassy there is tremendous, by the way. I was proud of the American Embassy.

Chairman GIBBONS. I guess what you are asking us to do is go against the people that you just said you are proud of. And were tremendous. That is the dilemma we face. I have visited many embassies. I have my own personal opinion of different embassies and what they do; but when you get all through, they usually know more about the subject than I do. We are running into that kind of opposition from our own Government.

Mr. VAN GELDEREN. The Embassy was with us. They agreed with everything these people said, something ought to be done. I disagree with them on this; I think the Romanian believers do. They feel something ought to be done more than we have done. To them, there is a cause. It is more than just their—by the way, there is another angle to this emigration.

You know they are not letting the leadership go to seminary any more. They are closing them down. They are threatening them and then they emigrate certain ones of them. The Embassy said the pattern is to scare them and throw them out of the country ahead of everybody else.

So they are misusing emigration by throwing them out when they do not want to leave. The leaders we saw said we do not want to go. We may be forced out. We want to stay because there will be no leadership if we leave.

Chairman GIBBONS. Mr. Jenkins?

Mr. JENKINS. Dr. Handford, are the people having any problems meeting in churches?

Mr. HANDFORD. Theoretically, they were supposed to give prior notice before they would have meetings and they were supposed to submit their manuscripts of their messages. The group of Baptists we were with refused to submit their manuscripts because they felt it as a matter of conscience, that they ought to be able to preach what the Bible said. They were not politically involved. They were not dissident in that sense.

They felt there were some things there that they were unwilling to give up. They did meet, but there were always secret police there. It was very obvious. Everything was watched and every time we were there in these services, the next day the pastors were contacted because we were in the services.

Mr. JENKINS. You saw some degree of freedom of religion as far as their being able to worship?

Mr. HANDFORD. As their personal practice is concerned. They had a limit as to how many times they could officially meet a week. They could not have their children separately in the meetings. What they would do is take the whole family and have their children's meetings with the parents there because it was illegal to teach the children, you see.

So they had to do it by that subterfuge.

Mr. VAN GELDEREN. You could have three meetings a week.

Mr. JENKINS. What do you mean three meetings a week?

Mr. VAN GELDEREN. They could meet Sunday morning, Sunday evening, and they had to designate one evening a week they could meet.

Mr. JENKINS. That is about all the Baptists meet. Three times a week is pretty good.

Mr. VAN GELDEREN. Prior to this time they could only meet twice. They gave an ultimatum. They had been fearful.

Mr. JENKINS. From what you say, the numbers of Baptists are increasing tremendously?

Mr. HANDFORD. Drastically.

Mr. VAN GELDEREN. It is one of the problems the Government has.

Mr. HANDFORD. I think the Government fears the kind of thing that happened in Solidarity in Poland, though I do not think they have to fear it. I do not think that these people were the dissident type, but they fear—they fear any independent religious spirit that challenges the loyalty of people, and that is the thing they are fearful of.

Mr. VAN GELDEREN. By comparison, Illinois is about the same population and geographic size as Romania. Think of a thousand on-fire Baptist churches, some of them ranging every meeting 1,000, 2,000, 3,000 people. That would be great. We do not have that in Illinois. They have it in Romania.

Mr. JENKINS. I am curious—are we taking the same position that you are taking here when we talk about El Salvador and Nicaragua? Do we speak out on their human rights problems as much as we do on Romania's human rights problems?

Mr. HANDFORD. We of course were challenged to go to Romania. That is why we were so head over heels on this thing. We felt there what you felt here when you heard these people speak. I guess God just opens up some doors for some of us and this happened to be the door that was opened to us.

Mr. VAN GELDEREN. I do not know about those countries yet. I may get fired up about them.

Mr. JENKINS. Thank you very much.

Chairman GIBBONS. We appreciate you coming and bringing us the message. Very helpful.

This concludes for the afternoon our hearings. We will continue tomorrow at 9:30 a.m. in this same room on the same subject.

Thank you very much.

[Whereupon, at 6:52 p.m., the subcommittee adjourned, to reconvene at 9:30 a.m., Tuesday, July 13, 1982.]

EXTENSION OF MFN STATUS TO ROMANIA, HUNGARY, AND THE PEOPLE'S REPUBLIC OF CHINA

TUESDAY, JULY 13, 1982

House of Representatives,
Committee on Ways and Means,
Subcommittee on Trade,
Washington, D.C.

The subcommittee met at 9:30 a.m., pursuant to notice, in room 1100, Longworth House Office Building, Hon. Sam M. Gibbons (chairman of the subcommittee) presiding.

Chairman Gibbons. Good morning.

This morning, we are continuing our hearings on the President's recommendation to the Congress to extend for another 12 months authority under the Trade Act of 1974 to waive the freedom of emigration requirements concerning the extension of nondiscriminatory trade, credit, and investment treatment toward nonmarket economy countries, and to extend the waiver for the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China.

Mr. Fascell is unable to appear today. His prepared statement will appear at this point in the record.

[The prepared statement follows:]

Statement of Dante B. Fascell, Chairman, U.S. Commission on Security and Cooperation in Europe

ABSTRACT

On behalf of cochairman Dole and the other Commissioners, chairman Dante B. Fascell of the U.S. Commission on Security and Cooperation in Europe (otherwise known as the Helsinki Commission) addresses the Subcommittee in an effort to further the humanitarian aims of Sector 402 of the 1974 Trade Act.

He takes stock of pertinent humanitarian considerations for the Hungarian People's Republic and the Socialist Republic of Romania—both Helsinki signatory states—and acknowledges the progress made by each to date. Particular emphasis is given to the Commission's emigration-related concerns, resting squarely on the letter of Jackson-Vanik. When appropriate, other humanitarian issues are discussed, which are encompassed by the spirit of the Amendment.

Re Hungary: The Commission agrees generally with President Reagan's positive assessment of Hungary's emigration performance, but continue to urge the resolution of the four unresolved divided family cases remaining between Hungary and the United States.

Re Romania: The Commission relates its experience with the 426 emigration cases involving intending U.S. emigrants, which it submitted to the Romanian Government over the past year. An increase in emigration approvals and case resolutions during the MFN season is reported.

The Commission goes on to echo President Reagan's June 2 observation to Congress that emigration procedures are "cumbersome and plagued with obstacles for those who merely wish to obtain application forms", whether their destination is the United States, the Federal Republic of Germany, Israel or another western country.

On the subject of Jewish emigration, the Commission calls the 1979 gentlemen's agreement between the Romanian Government and the Conference of Presidents of Major American Jewish organizations a step in the right direction and a useful mechanism, but reports that procedural and numerical improvements in the area of Jewish emigration have not been as substantial as had been hoped and expected. The Commission acknowledges the significantly higher levels of Jewish emigration approvals in May and June, and explains why it is reasonable to expect these levels to be sustained or improved upon over the next year. The Commission concludes it would be in the interests of all concerned that the principals to the 1979 agreement undertake renewed efforts to clarify, simplify and humanize the process by which Jews may emigrate.

Next, the Commission reviews its continuing humanitarian concerns for Romania in fields other than emigration: the rights of individuals belonging to national minorities, religious liberty issues and prisoners of conscience. The Commission stresses the importance of making steady and tangible progress in these areas.

In summation, the Commission urges Hungary and Romania, respectively, to make further progress in the delineated areas of concern and offers to join Congress in undertaking constructive efforts to further this aim.

STATEMENT

Mr. Chairman, subcommittee members, ladies and gentlemen, as Chairman of the U.S. Commission on Security and Cooperation in Europe, otherwise known as the Helsinki Commission, I am pleased to have the opportunity to address this forum in an effort to further the humanitarian aims of Section 402 of the 1974 Trade Act. The Most-Favored-Nation process, requiring the yearly review of the emigration performances of the Hungarian People's Republic and the Socialist Republic of Romania—both Helsinki signatory states—has complemented and advanced the humanitarian work being done by the Helsinki Commission. Indeed, over the years, the MFN mechanism has brought compassionate relief to scores of individuals and families who have turned to the United States for help.

As you know, the Helsinki Accords contain provisions designed to facilitate international trade as well as to promote the exercise of fundamental human rights and freedoms. These goals are not incompatible. In fact, they are intrinsically linked. Progress in one area must be accompanied by progress in the other. That is the idea inherent in the Helsinki Accords and such is the thrust of Section 402, the Jackson-Vanik Amendment.

An essential element in the Helsinki and MFN processes is maintaining a constructive dialogue between the governments involved. To this end, throughout the year and not just during the MFN review, the Commission engages in frank exchanges with Hungarian and Romanian officials. Unlike other Warsaw Pact states, Hungary and Romania are willing to discuss human rights matters with us. Such dialogue is welcome. It is axiomatic, however, that humanitarian action must follow if talk is to have any meaning.

I now will turn my remarks to Hungary and then to Romania. I will give particular emphasis to the Commission's emigration-related concerns, since they rest squarely on the letter of Jackson-Vanik. When appropriate, I will address other humanitarian issues which are encompassed by the spirit, if not the letter, of the Amendment.

The Commission agrees with President Reagan's June 2 remarks to Congress on MFN waiver extension for Hungary. It is our experience that cases can be discussed constructively with the Hungarian Government, that the vast majority of cases are favorably decided within a reasonable amount of time and that most difficult cases are ultimately resolved. We are pleased to acknowledge the recent resolution of a particularly difficult case involving a two-year-old child separated from his parents. However, as a matter of principle we must point out that constructive dialogue has failed to produce results in the four remaining divided family cases between Hungary and the United States. One case has been unresolved for five years. Hungarian authorities claim that allowing this family to reunite or visit is harmful to the public order. One family not only is denied permission to join their relatives in the United States, they were not allowed to visit the ailing father before he died. Another family is refused on the basis of a restrictive law prohibiting a Hungarian citizen's emigration before he reaches the age of 55. Lastly, another case involves a minor child separated from his father, the only living parent.

While the number of unresolved cases with Hungary is small, the human cost of dividing a family is great. I take this occasion, then, on behalf of Co-Chairman Dole and the other Helsinki Commissioners to reiterate our appeal to Hungarian authorities that they reconsider the merits of these four cases and resolve them expeditiously.

And now, in regard to Romania:

The focus of these proceedings being the Trade Act's emigration requirement, I am pleased to share with the Subcommittee the Commission's current thinking on Romanian practices.

You already have the State Department's overall figures for emigration from Romania to the United States, so I will not repeat them here. It would be more useful, I think, if I were to share with you the Commission's own experience with the four lengthy caselists we ourselves compiled and submitted to Romanian officials over the course of the last year: June and October 1981 and February and May 1982. From June 1981 through to the end of last week, the Commission submitted a total of 426 cases to the Romanian Government. It is important to note that a case can consist of a single individual or an entire family. The 426 cases, therefore, represented approximately 1,200 people. Of these a total of 97 cases (22.7%) have been resolved, i.e. have left Romania, and another 25 (5.9%) have exit approval but have not yet departed the country. We asked that the Romanian Government give special consideration to 77 out of the 426 cases. Cases are chosen for special consideration because they have remained unresolved for an inordinately long time, involve a family emergency, concern young children separated from parents or elderly or ill people, or because they can be expected to pose more than the usual problems for Romanian authorities to resolve. But now, 20 of these (26%) are resolved and 10 (13%) have exit approval.

It is instructive to look at how the cases on our year-old list have been moving. The June 1981 list contained in 183 cases. As of now, 79 (43.2%) have been resolved and another 25 (13.7%) have exit approval. We had requested that special consideration be given to 55 of the June 1981 cases. Of these priority cases, 15 (27.3%) have since been resolved and another 8 (14.5%) have been approved for exit.

Each Commission list contains unresolved cases we had previously presented plus any cases that come to our attention since the last prior submission. When we look at the resolution rate from caselist to caselist, and interesting seasonal pattern, very pertinent to the MFN process, emerges. From the time of the submission of the June 1981 list up until the submission of the October 1981 list—months encompassing the MFN review in Congress—47 cases (25.7%) of the June list were resolved. But, in the period after submission of the October 1981 list through to submission of the February 1982 list, only 15 cases (7.8%) of the October cases, were resolved. And, from February 1982 through to submission of the May 1982 list, just 21 cases (7.5%) of the previous list were resolved. Strikingly, however, in the short interval between submission of the May 1982 list and these very House-side MFN hearings, already 61 cases on the May list (17.5%) have approval and 14 (4.1%) have been resolved. Of the special consideration cases off the May list, 10 cases (16.7%) have approval and 4 (6.7%) were resolved. What we see here is a significant seasonal increase in resolutions and approvals coinciding with the months immediately prior to, during, and immediately after these MFN hearings.

But, numbers tell only part of the emigration story. Even individuals whose cases eventually are resolved still must endure a seemingly endless array of procedural obstacles and pressures to dissuade them from emigration before they are able to leave Romania. The Commission wholeheartedly agrees with President Reagan, who, in his message to Congress on MFN extension for Romania this year, noted the continuing problems associated with emigration procedures which he called "cumbersome and plagued with obstacles for those who merely wish to obtain emigration application forms." This situation applies to the majority of intending emigrants from Romania, whether their destination is the United States, the Federal Republic of Germany, Israel or another Western country.

Now, to the subject of Jewish emigration from Romania, a matter specifically addressed by President Reagan and in which Congress has shown heightened interest and concern, particularly in the past several months. The President called attention to the decrease in Jewish emigration from 1975 through 1981. He made reference to the gentlemen's agreement on the facilitation of Jewish emigration reached in 1979 by the Romanian Government and representatives of the Conference of Presidents of Major American Jewish Organizations and the American Jewish Committee. The

1979 agreement was a response to concern that the Jewish emigration level had hit a disturbing new low by mid-1979.

As part of the agreement, it was established that Romanian Jews wishing to emigrate, could, in addition to filing exit requests with state authoities, register voluntarily with the Romanian Federation of Jewish Communities and that on a regular basis the registration lists would be made available to the American principals to the agreement.

Contrary to expectations, in 1980 and 1981, the yearly totals for emigration to Israel were only slightly better than the low year-end figure for 1979, hovering around the 1,000 per year mark. At the same time, however, on a succession of Romanian Federation lists, backlogs of long-standing cases were observed.

This trend gave every sign of continuing into the early months of 1982. No wonder, then, that many who still regard the 1979 agreement as a step in the right direction and as a useful mechanism had cause for some concern. Procedural and numerical improvements in the area of Jewish emigration were not as substantial as many had hoped and expected. Only in the last two months has there been any indication that the year-end Jewish emigration total might be higher in 1982. In May and June, there have been significantly higher numbers of Jews given emigration approval. In June, there also was an appreciable jump in the number of arrivals in Israel.

According to the lastest count made available by the Conference of Presidents of Major American Jewish Organizations, roughly 1400 Jews currently are registered with the Romanian Federation of Jewish Communities as intending emigrants. Of the 1400, 94 cases represent individuals whose emigration applications have been pending since 1980 or before, and 163 involve persons who have had emigration approval since 1980 or before, but who have not been able to depart Romania. The Commission particularly wants to see the expeditious resolution of these inordinately long-standing cases. Taking into consideration the current number of registered Jews (1400) and bearing in mind the fact that many Jews (almost 50% of those who attempt to emigrate) do not register with the Federation, but wish, nevertheless, to leave, the Commission concludes that it is realistic to expect that the recent higher monthly levels of Jewish emigration can be sustained and perhaps improved on over the next year.

Certainly, it would be in the interests of all concerned that the principals to the 1979 agreement undertake as soon as possible renewed efforts to clarify, simplify and humanize the process by which Jews may emigrate.

Beyond emigration, the Commission's human right concerns for Romania cover the gamut of the Helsinki Accords' humanitarian provisions of the freedoms of conscience and expression, religious liberty, the rights of individuals belonging to national minorities and the all-important right "to know and act upon one's rights."

We will continue to use every appropriate opportunity to air these concerns in manners we think are most likely to bring results. We apprecaite the fact that some of the problems we see cannot be resolved in the short-run. It is fair to expect, however, that the Romanian Government make steady and tangible progress towards their resolution.

Concern persists that the Romanian Government does not take adequate steps to protect the rights of citizens belonging to national minorities. Yet, the Romanian Government has not made any noticeable goodwill gestures that would serve to allay this concern.

We observe that while the fourteen registered faiths in Romania continue to operate under the circumscribed conditions set by the State, believers who engage in religious activities beyond the State-imposed limits continue to face harassment. Currently, there are eleven Christian activists imprisoned in Romania for terms of five to six years for the unauthorized receipt from abroad and non-profit distribution of quantities of Bibles.

One dissenting Orthodox priest has been imprisoned since early 1979 for exercising his right to freedom of conscience.

In addition to the above-mentioned prisoners of conscience, the Commission is working on behalf of several other individuals we have cause to believe were confined for exercising Helsinki-protected rights.

We hope, however, that a way can soon be found to bring compassionate relief to these people.

Now to sum up.

I think we can all agree that the MFN season has begun in a climate of concern this year. In recent months we have seen a brightening in emigration areas. It is important, however, that Hungary and Romania continue this trend and that significant further progress is made. As for Romania in particular, steady and specific steps in a number of human rights areas are needed to dispel the clouds.

In closing, I hope this testimony has accomplished two things. First, that it has helped Congress take stock of pertinent considerations for Hungary and Romania both by airing humanitarian concerns and acknowledging any progress that has in fact been made. Second, that by so doing, the Commission has given Congress information it will need in coming months to undertake constructive efforts to solve some humanitarian problems and to make headway toward the eventual solution of others.

Thank you, Mr. Chairman.

Chairman GIBBONS. I would like to urge all witnesses to summarize their statements, because we have a very large number of witnesses; but if witnesses want to read their statements, they may, but we may have to cut them off.

Yesterday, we had some extremely long statements, and all statements, of course, will be published in the record, and members will have an opportunity to review them.

Our first witness today is a Member of Congress from the State of Georgia, Hon. Larry McDonald. We are glad to have you here, and we will be glad to hear from you. You may proceed as you wish.

STATEMENT OF HON. LARRY P. McDONALD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. McDONALD. Thank you, Mr. Chairman. I appreciate this opportunity to appear here today and to speak in opposition to the President's recommendation.

My fundamental premise is that the United States should not subsidize its enemies. The facts are that all three nations are Communist nations and opposed to us and our policies.

I fully recognize that each one of the three may have slightly different policies for internal reasons of their own, but, nonetheless, they are opposed to us. Worse than being opposed to us, they are not free.

Hungary has had 4 days of freedom since 1944. Romania has had no freedom since 1944, and neither has Red China since 1947. I will summarize.

Chairman GIBBONS. Your statement is a reasonable length, so, if you want to read it all, we would be happy to have you read it all.

Mr. McDONALD. Thank you, Mr. Chairman.

In all three countries it continues to be a grave offense to attempt to leave, and, worst of all, to come to the United States. Persecution of Christian and Jewish believers still continues in all three countries. We simply play numbers games with these countries when we make determinations such as the President has made. Natives of all three countries continue to flee whenever given the opportunity, often by heroic means.

Let me now plead the cases of those who are not afforded a forum in which to plead their own cases. I would like at this point to insert names in the record of this hearing of persons desiring to leave Romania who are being thwarted by the Romanian authorities.

This first list contains the names of 56 Romanian Jews and Christians who wish to emigrate. This list is as of April 5, 1982. One asterisk by the name indicates the person has been trying to leave for over 1 year. Two asterisks indicate the person has been trying to emigrate for over 2 years, some as long as 5 or 10 years. The list, which I will not read, follows on pages 2, 3, 4, 5, 6, and a portion of 7.

Chairman GIBBONS. We will put all of those in the record, and you may be sure that these are called to the attention of the proper authorities.

Mr. MCDONALD. Thank you, Mr. Chairman. I will continue at the bottom of page 7.

In addition, there is Dr. Victor Ghetie and his family. He is a well-known Romanian scientist. He and his family live at 32–34 Balcescu Boulevard in Bucharest. He and his family have been trying to emigrate since December 30, 1980.

In addition to the problem of emigration, there is also the problem of internal repression which goes on day and night against Christians and Jews in Romania and is also carried out against minorities in Romania, especially her Hungarian minorities. In this connection, it is worth noting that two State legislatures, Georgia and Kentucky, passed resolutions in opposition to renewal of MFN status for Romania.

If this subcommittee goes against the wishes of the President in this matter, there is grassroots support for you out there in the countryside. Just in May of this year, a leading Romanian dissident disappeared in Paris and is thought to have been murdered by Ceausescu's secret police for criticism of the regime. President Mitterand may cancel a forthcoming visit to Romania as a result.

As regards Hungary, the pattern is very similar, even though the internal regime is a little less strict and the economy of Hungary slightly freer. Reliable reports state that a person can receive 3 years in prison for attempting to leave the country. You can even be punished for making preparations for attempting to leave the country. Criticism of the government alone can bring up to 8 years' imprisonment. Certain political and military offenses carry the death penalty. No one is certain of the number desiring to leave, but it is a large group.

Let us also remember we are dealing with an occupied state. The Soviet general staff calls it her "southern group of forces," which means the four Soviet divisions that occupy Hungary.

Hungary, at the moment, enjoys a slightly better economic life than the remainder of the Eastern Bloc satellites. This is true because the Communist government there has permitted some decentralization. However, Hungary is still part of CMEA and renewal of MFN for Hungary will be of indirect assistance to the Soviet Union, whose own economy, as well as the remainder of the Eastern Bloc, is in dire straits. The dissident movement in Hungary consists of some 300 or more intellectuals that Janos Kadar keeps cowered and occasionally jailed, but if needed the Red Army is always ready to help if things get out of hand.

That was clearly shown in 1956, when the people of Hungary did make a bid for freedom, Mr. Chairman, and for a brief period for just a few days were able to be free of the shackles of their totalitarian counterparts to the East.

The People's Republic of China presents still a different picture. Communist nations alternate between NEP periods—the new economic period of Lenin in the 1920's, when he permitted small businesses to operate and repression was relaxed in the Soviet Union—and militant revolutionary periods.

It is my contention that the People's Republic of China is in a NEP period at the moment. Two things motivate the Red Chinese leadership, in that respect. One, fear of the Soviet Union, and, two, the awful economic situation in the country, itself, which can only be remedied by infusions of money and technology from the West, and, in particular, from the United States.

We are taking too short a view and only looking at the zag of a zigzag policy, which, if you draw a straight line through the zigzags, will show you a Communist nation still bent on fulfilling its Marxist-Leninist destiny.

In fact, at this moment, there are indications, not yet very large, that a rapprochement may be approaching between the PRC and the U.S.S.R.

Here, we in the Congress sit, considering extension of MFN status, while the administration downtown considers cutting our longtime ally, the Republic of China or Taiwan, off without a cartridge. Our timing may be deadly wrong. A sudden change could leave us high and dry like a beached whale.

Let's look at recent history. We cut Chiang Kai-Shek off from American munitions—result: Communist China. We cut Batista off from American arms—result: Fidel Castro. We cut Anastasio Somoza off from American arms—result: the Sandinistas.

While the PRC may appear to be loosening its requirements to emigrate, we have no firm idea yet how many of these so-called "students" and "scientists" are here on missions of pure espionage, or, especially, industrial espionage. My point is that we have been through such periods before with the Soviet Union, if we need a historical example.

In 1979, in my testimony, I said that the legislation you are considering would reduce the tariffs on some PRC exports by 75 percent, I am told. Duties on carpets and tapestries would fall to 16 percent of its import value from 67 percent.

PRC will also be exporting textiles. Of course, we have an agreement that limits imports, which will run to 1980, but how will our domestic manufacturers compete with even this limited additional amount, when some Chinese workers only receive the equivalent of 25 cents a day in wages?

Northwest Georgia, which I represent, could be grievously hurt by imports of textiles and carpets, and that was my testimony in 1979.

A further item that bothers me is that reliable reports continue that bumper crops of opium are still being grown in the border regions of Southwest China, notably in Yunnan and Kweichow Provinces. From here, this opium is reportedly sent via Burma and Thailand, as well as Hong Kong, on to the free world. Estimates are that this amounts to 8,000 tons of drugs.

For these and many other reasons, I oppose continuance of MFN for these nations.

Thank you.

[The prepared statement follows:]

Statement of Hon. Larry P. McDonald, a Representative in Congress From the State of Georgia

Mr. Chairman, I appreciate the opportunity to appear here today and speak in opposition to the President's recommendation. My fundamental premise is that the United States should not subsidize its enemies. The facts are that all three nations are Communist nations and opposed to us and our policies. I fully recognize that each one of the three may have slightly different policies for internal reasons of their own, but, nonetheless, they are opposed to us. Worse than being opposed to us, they are not free. Hungary has had 4 days of freedom since 1944. Romania has had no freedom since 1944, and neither has Red China since 1947. Granting or continuing special status for these countries does not promote the well being of the United States, but it does subsidize slave labor in all three countries. In all three countries it continues to be a grave offense to attempt to leave and worst of all to come to the United States. Persecution of Christian and Jewish believers still continues in all three countries. We simply play numbers games with these countries when we make determinations such as the President has made. Natives of all three countries continue to flee whenever given the opportunity, often by heroic means.

Let me now plead the cases of those who are not afforded a forum in which to plead their own cases. I would like at this point to insert names in the record of this hearing of persons desiring to leave Romania who are being thwarted by the Romanian authorities.

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1. Marcel Aberdan, Strada Maior Ion, Bl. C. 8, Sc. A, Et. 2, Ap. 17, Falticeni, Judetul Suceava Cod 5750.

**2. Iosefina Alexamdroaie, (and her daughter Violeta), Str. Dr. Staicovici 13, Sector 5, Bucharest, Romania.

3. Liviu and Dorina Argeseanu, Str. Dionisie Lupu No. 53, Et. 1, Ap. 9, Sector 1, Bucharest, Romania.

4. Andrei and Gabriella Alexandra Aszodi (and their daughter Miriam), Gavana II, Bloc D 14, Sc. C, Ap. 8, 0300 Pitesti, Romania.

*5. Mihnea and Doine Vlasta Baciu, Ronda 2B Street, Sector 2, 73221 Bucharest, Romania.

6. Dan Bianu, Str. Otavei 6, Et. 5, Ap. 24, Balta Alba, Bucharest, Romania.

7. Gabriel and Anca Buruiana, 11 Rahmaninov Str., Bucharest 2, Romania.

8. Sandu and Rodica Cojocariu (and their daughter Irina), Str. 13 Decembrie No. 31, Bl. 5, Et. 3, Ap. 21, Bucharest, Romania.

**9. Nathan Fleischer, Str. Castanilor, Bl. 6, Sc. F, Ap. 5, Bacau, Romania.

*10. Ignatz and Anca Friedman, Bulevard Prelungirea Ghencea 4, Bl. R4, Sc. B, Ap. 50, Et. 1, Sector 6, Bucharest, Romania.

**11. Eugin Fundulea, Str. N. Balceascu Nr. 55, Bl. 8, Ap. 36, Buzau, Romania.

*12. Andrei and Ecaterina Gavor, Bulevardul Primaverii No. 6, Bucharest, Romania.

13. Petru and Elena Ganea (and their daughter Olga), 12 Ceaikovski Str., Ap. 8, Bucharest, Romania.

**14. David and Silvia Gheorghiu (and their son Silviu-Eyal), Str. Horia Nr. 76, Ap. 22, Cluj—Napoca, Cod 3400, Romania.

15. Laurentiu Nicolae and Mirela-Marcela Ionescu, Str. Fetirelor No. 6, Sector 3, Bucharest, Romania.

*16. Iacob and Margit-Paula Kamil, 3 Manejului Street, Ap. 26, 5875 Radauti, Romania.

**17. Herman Leizerovici, Str. Unirii Nr. 7A, Bl. 53, Ap. 1, Botosani, Romania.

18. Rubin Mayer, Piata Pelvnei 6, Ap. 1, Cod 1900, Timisoara, Romania.

*19. Dorel and Olga Moscovici, Str. Lt. Lemnea 1, Ap. 6, Bucharest, Romania.

20. Gabriel Neufeld, Str. V. Alecsandri No. 12, Cluj-Napoca 3400, Romania.

*21. Paul and Elena Pechiu, Str. Poenaru Bordea Nr. 6, Et. 1, Ap. 9, Sector 4, Cod 70502, Bucharest, Romania.

**22. Maria Racz, Bd. Ana Ipatescu Nr. 24-26, Ap. A, Sc. A, Sector 1, Bucharest, Romania.

**23. Sergiu and Ruxandra Ratescu (and their son Sebastian), Str. Liviu Rebreanu Nr. 7, Bl. 51, Et. 8, Ap. 123, Sector 4, Bucharest, Romania; Sergiu's mother also wants to emigrate, Jeana Ratescu, Bd. Muncii Nr. 94, Bl. 1/B, Et. 1, Ap. 3, Sector 3, Bucharest, Romania.

**24. Herman and Ghina Rubinger, Str. Nicos Beloiania Nr. 9, Bucharest, Romania.

25. Otilia Scheener, Cal Grivitei 67, Sector 8, Bucharest, Romania.

26. Mihail-Lucian and Nadia Solomon (and their son Dan), Str. Bodesti No. 2, Bl. 29B, Sc. A, Et. 1, Ap. 6, Sector 2 (Pantelimon), Bucharest, Romania.

Liviu Capusan, a Baptist who applied for emigration in April 1981. Romanian authorities refused to give permission to emigrate even though his son, Radu Capusan, lives in the United States. Liviu Capusan's address is: St. Bucegi No. 15, Bl. A3, Fl. 9, Apt. 151, Cluj, Romania.

Gavrila Giurgiu, a Pentecostal pastor. Residence: St. Lupeni Nr. 8, Cluj, Romania.

Daniel Brinzei, a Baptist pastor. Residence: St. Muntele Mare No. 3, Sector 7, Bucharest, Romania.

Teodor Rus and his wife Pentecostal Church members. Residence: Ciceu-Giurgesti No. 317, Jed Bistrita-Nasaud, Romania.

Paul Dragu and his family, a member of the Brethren Church. Address: St. 8 Martie No. 5, Tirgu, Romania.

Emil Pop and his wife, members of the Pentecostal Church. Address: St. D. Ghere, No. 5, Dej, Romania.

Gheorghe Salai and his family of the Baptist Church. Address: St. Dr. P Groza No. 33, Cluj, Romania.

Ioan Falcusan and his family of the Baptist Church. Address: St. Gheorgheni Nr. 204, Bl. N., Apt 16, Cluj, Romania.

Pavel Muresan and his family of the Pentecostal Church. Address: St. Merilor Nr. 4, Dej, Romania.

Viorel Tautu and his family of the Baptist Church. Address: St. Caragiale Nr. 21, Dej, Romania.

Ioan Bor of the Pentecostal Church. Address: St. Hasdau Nr. 49, Dej, Romania.

Gavril Sighiartau and his family of the Pentecostal Church. Address: Ciceu-Giurgesti, St. Varga Catalina Nr. 68, Dej, Romania.

Ioan Sporea and his family of the Baptist Church. Address: St. Muncii Nr. 14, Resita, Romania.

Daniel Stauceanu and his family of the Baptist Church. Address: St. Presei Nr. 1, Sector 1, Bucharest, Romania.

Petru Truta and his family of the Orthodox Church. Address: Sos Catelul Nr. 6A-Bl. 341, Bucharest, Romania.

George Michescu and his family of the Baptist Church. Address: St. M. Sadoveanu Nr. 35, Turnu Severin, Romania.

Zaharis Ploscaru and his family of the Baptist Church. They live in Motru, Romania.

Haralambie Ploscaru, Jr., of the Baptist Church. He lives in Motru, Romania.

Iela Petru and his family of the Baptist Church. Address: St. Alee Liliacului, Bl. 5, Fl. 3, Apt. 16, Caramcebees, Romania.

George Burtea and his family of the Baptist Church. Address: St. Bugorului Nr. 39, Turnu Severin, Romania.

Daniel Chibici and his family of the Baptist Church. Address: St. Crizantemelor Nr. 5, Orcoba, Romania.

Corneliu Ciuca and his family of the Baptist Church. Address: Republicii Nr. 8, Apt. 17, Galati, Romania.

Mihai Schiau of the Baptist Church. Address: St. Cintarului 7, Sebes-Alba, Romania.

Teofil Salagea and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Timotei Stef and his family of the Baptist Church. Address: St. Calarasi Nr. 25, Alba-Iulia, Romania.

Aurel Miget and his family of the Baptist Church. Address: St. Marasesti Nr. 28, Apt. 4, Arad, Romania.

There are two special Christian believers being held against their will in Romania. They are: Silvia Tarniceru care of: Pricip Tarniceru, Str. Cetatuia 48, Iasi, Romania; and Elena Boghian care of: Maria Sfatcu, Str. George Cosbuc Nr. 31, Iasi, Romania.

Both women have served prison terms for being believers and attempting to leave Romania. Both have been trying to emigrate for more than a year.

In addition, there is Dr. Victor Ghetie and his family. He is a well known Romanian scientist. He and his family live at 32-34 Balcescu Boulevard in Bucharest. He and his family have been trying to emigrate since December 30, 1980.

In addition to the problem of emigration, there is also the problem of internal repression which goes on day and night against Christians and Jews in Romania and is also carried out against minorities in Romania, especially her Hungarian minorities. In this connection, it is worth noting that two State legislatures, Georgia and Kentucky, passed resolutions in opposition to renewal of MFN status for Romania. If this subcommittee goes against the wishes of the President in this matter, there is grass roots support for you out there in the countryside. Just in May of this year, a leading Romanian dissident disappeared in Paris and is thought to have been murdered by Ceausecu's secret police for criticism of the regime. President Mitterand may cancel a forthcoming visit to Romania as a result.

As regards Hungary, the pattern is very similar even though the internal regime is a little less strict and the economy of Hungary slightly freer. Reliable reports state that a person can receive 3 years in prison for attempting to leave the country. You can even be punished for making preparations for attempting to leave the country. Criticism of the Government alone can bring up to 8 years imprisonment. Certain political and military offences carry the death penalty. No one is certain of the number desiring to leave, but it is a large group.

Let us also remember we are dealing with an occupied state. The Soviet general staff calls it her "southern group of forces", which means the four Soviet divisions that occupy Hungary.

Hungary, at the moment, enjoys a slightly better economic life than the remainder of the Eastern bloc satellites. This is true because the Communist government there has permitted some decentralization. However, Hungary is still part of CMEA and renewal of MFN for Hungary will be of indirect assistance to the Soviet Union, whose own economy, as well as the remainder of the Eastern bloc, is in dire straits. The dissident movement in Hungary consists of some 300 or more intellectuals that Janos Kadar keeps cowered and occasionally jailed, but if needed the Red Army is always ready to help if things get out of hand.

The People's Republic of China presents still a different picture. Communist nations alternate between NEP periods (the new economic period of Lenin in 1920's when he permitted small businesses to operate and repression was relaxed in the Soviet Union) and militant revolutionary periods. It is my contention that the People's Republic of China is in a NEP period at the moment. Two things motivate the Red Chinese leadership, in that respect. One, fear of the Soviet Union, and two, the awful economic situation in the country itself, which can only be remedied by infusions of money and technology from the west, and in particular, from the United States.

We are taking too short a view and only looking at the zag of the zig zag policy, which, if you draw a straight line through the zig zags, will show you a Communist nation still bent on fulfilling its Marxist-Leninist destiny. In fact, at the moment, there are indications, not yet very large, that a rapprochement may be approaching between the PRC and the U.S.S.R. Here, we in the Congress, sit considering extension of MFN status, while the administration downtown considers cutting our long time ally, the Republic of China or Taiwan, off without a cartridge. Our timing may be deadly wrong. A sudden change could leave us high and dry like a beached whale. Let's look at recent history. We cut Chiang Kai-Shek off from American munitions—result, Communist China. We cut Batista off from American arms—results, Fidel Castro. We cut Anastasio Somoza off from American arms—result, the Sandinistas.

While the PRC may appear to be loosening its requirements to emigrate, we have no firm idea yet how many of these so-called "students" and "scientists" are here on missions of pure espionage, or especially, industrial espionage. My point is that we have been through such periods before with the Soviet Union, if we need a historical example.

There is also the question of trade. The northwest Georgia area, which I represent, has experienced a downturn along with everyone else. Many of our textile firms have had to shut down. The figures are all there for anyone to see. Since 1978, the imbalance in trade in textile with the PRC has gone from $113 million to a projected $568 million, based upon first quarter figures for this year. These figures include cotton, wool, and man made fibers.

A further item that bothers me is that reliable reports continue that bumper crops of opium are still being grown in the border regions of southwest China, notably in Yunnan and Kweichow provinces. From here, this opium is reportedly sent via Burma and Thailand, as well as Hong Kong on to the free world. Estimates are that this amounts to 8,000 tons of drugs.

For these and many other reasons, I oppose continuance of MFN for these nations.

Thank you.

Chairman GIBBONS. Thank you, Mr. McDonald.

Mr. SCHULZE. Mr. Chairman, I would like to thank our colleague for his testimony, and it was interesting—his reference to industrial espionage—do you care to expand on that?

Mr. McDONALD. So many people in this country feel that cultural exchanges, others, brotherhoods, foster a lessening of tension.

With regard to travel, economic transfer of goods, this is only a valid observation if the motives of your counterpart nation are reasonable or open motives.

In the case of the Soviet Union, satellite nations, we have had student exchanges. We send over students that study their ballet history, language history, various liberal arts courses, and they send over 45-year-old engineers. This is the general pattern. They go through our libraries and plants like vacuum cleaners—very clearly on assignment.

We send over students for the liberal arts review, and no doubt they must have a gold mine, particularly in areas of cultural repression, particularly in areas of renaissance and knowledge, and this is true in Red China, because they have burned so much of their literature, and they are anxious to come and get copies of some of our literature from our Library of Congress, because they have destroyed so much of their own past, but, nevertheless, this is something that is going to further an understanding, because, once again, we are dealing with an element with a force that has never waivered from its objective of world communism, and that is a hard fact of life.

Many Americans are unhappy to be reminded of that, but that happens to be the world in which we live.

Mr. SCHULZE. I thank you for your testimony.

Chairman GIBBONS. Mr. Frenzel?

Mr. FRENZEL. I want to thank Larry McDonald for his testimony. He has helped us with the situation, providing excellent information to the committee over the years.

Chairman GIBBONS. Thank you. We appreciate your counsel and guidance.

Mr. McDONALD. Thank you.

Chairman GIBBONS. Our next witness is Governor Milton Shapp.

Mr. SCHULZE. Governor Shapp took office for his first term as Governor.

We have had a very healthy, pleasant relationship over the years. I welcome him back here. He looks 10 years younger and very much enjoying life as a private citizen.

Welcome, Governor.

Chairman GIBBONS. We are delighted to have you here, and you may proceed as you wish, Governor.

STATEMENT OF MILTON J. SHAPP, FORMER GOVERNOR OF PENNSYLVANIA, ACCOMPANIED BY RICHARD SHAPP, HIS SON, AND LUMINITZA COLER SHAPP, HIS DAUGHTER-IN-LAW

Mr. MILTON SHAPP. First, I would like to introduce the people who are with me. On the left is my son, Richard, and on my right is my daughter-in-law, Luminitza.

Lumi, as you will learn from my testimony, is from Romania, and she has family in Romania at the present time.

I have submitted a statement for the record, and I have a short summary, if you care to hear it.

Chairman GIBBONS. Please proceed.

Mr. MILTON SHAPP. Mr. Chairman, and honorable members of the U.S. Congress Subcommittee on Trade, I am Milton J. Shapp, a former Governor of Pennsylvania. I appear before you as a private citizen, to urge you to vote against renewing the Socialist Republic of Romania's waiver of the emigration requirements of the Trade Act of 1974.

I urge you not to extend most-favored-nation trading status to Romania because of that country's policy of barring emigration for family reunification as insured by the Helsinki accords.

Members of my family are at this very moment being denied permission to emigrate to the United States. This denial of human rights comes directly from the very top of Romania's government.

I speak specifically about the case of Andrei Coler, his wife, Elena Rautu Coler, and their daughter, Alexandra. From the outset, this case has directly involved Romanian President Nicolae Ceausescu. It has also attracted the personal attention of Vice President George Bush and former Secretary of State Alexander Haig.

Andrei Coler is the brother of my daughter-in-law, Luminitza Coler Shapp, who previously had been denied the right to emigrate to Israel. Her visa was blocked at the time by Leonte Rautu, her brother's father-in-law, then a powerful and influential Romanian official, a member of the Politburo and Chief of the Communist Party Academy.

In August 1981, when Andrei Coler and his family first expressed their desire to emigrate, Rautu still held these positions.

Rautu's involvement in this case is crucial. For 18 months he stalled the efforts of his daughter, son-in-law and their 4-year-old daughter to leave Romania. In April 1981, Rautu had an audience with President Ceausescu, and from then on all decisions affecting Rautu and the Colers was made directly by the Romanian President.

These decisions are as follows:

First. The Colers were evicted from Rautu's home.

Second. Rautu was fired from his Politburo and party academy posts.

Third. In a public speech, President Ceausescu described the Coler and Rautu situation as a public disgrace.

Fourth. As a direct result, Andrei and Elena Coler lost their jobs and for several months nobody dared to accept them as employees at any level. Finally, only through the intervention of Ceausescu, did Andrei Coler obtain a job.

The Colers are ordinary people; they have never held sensitive positions. There is no legal or logical reason why they should be denied the right to emigrate to the United States. Yet, during the past 14 months, they have received three rejections to their visa applications and appeals. At no time have they been given an explanation for these violations of their human rights.

Further, at no time has a credible explanation for this illegal behavior been given to the Colers or U.S. officials.

Such disregard of basic human rights has been and still is the active policy of the Romanian Government. It will continue to be so because the Romanians have come to expect most-favored-nation status as a matter of course. It is high time to remind them that most-favored-nation status is not a matter to be taken for granted but will be granted only to those nations which comply with the Helsinki accord.

From the record, it is obvious that under the direct orders of its President, Romania is in violation of the Helsinki accord.

As I stated, with me today is my son, Richard, and my daughter-in-law, Lumi, who I am sure can provide any other information you may desire. Incidentally, my son Richard visited with the Colers in Bucharest just a month ago and had the opportunity to discuss their case with officials of the American Embassy in Bucharest.

Gentleman, I appreciate the opportunity you have afforded to present my views on this important matter. If there are any questions that the members of the committee or the staff wish to raise, I am certain that either I, my son, or my daughter-in-law will be able to supply the information.

Thank you.

[The prepared statement follows:]

STATEMENT OF GOV. MILTON J. SHAPP

SUMMARY

I. Governor Milton J. Shapp, as a private citizen, urges the Subcommittee on Trade not to renew R.S. Romania's waiver exempting it from the emigration requirements of the Trade Act of 1974. He charges, and proves, that Romania violates human rights under the Family Reunification provisions of the Helsinki Accords.

II. Members of Governor Shapp's family are being denied the right to emigrate to the United States, a human right insured by the Helsinki Accords.

III. These family members are: Andrei Coler, Elena Rautu Coler and Alexandra Coler.

IV. Mrs. Coler is the daughter of Leonte Rautu, a Polit Bureau member who was fired because of the Colers' desire to leave Romania.

V. From the beginning, President Nicolae Ceausescu has known of, and controlled, the Colers' case.

VI. This denial of human rights to the Coler family does not come from a bureaucrat in the Passport office. It comes directly from the President of Romania. He alone can order the issuance of exit visas for the Colers.

VII. This case has gained the personal attention, and intervention of Vice-President George Bush, former Secretary of State Alexander Haig and other top American officials. It is well known to top level Romanian officials, including Foreign Minister Stefan Andrei, Ambassador Mircea Malitza and former Ambassador Corneliu Bogdan.

VIII. In spite of this high-level American involvement, Romania continues to deny the Colers their right to emigrate. This denial is controlled by President Ceausescu.

IX. The Governor and many Romanians who know their country and its policies fear that unless a strong signal is sent to Bucharest—the denial of MFN and the emigration waiver—Romania will continue its repressive policies which violate human rights and international treaties.

STATEMENT

Chairman Gibbons, Honorable Members of the United States Congress Subcommittee on Trade, I am Milton J. Shapp, a former Governor of Pennsylvania. I appear before you as a private citizen to urge you to vote against renewing the Socialist Republic of Romania's waiver of the emigration requirements of the Trade Act of 1974. I urge you not to extend "Most Favored Nation" trading status to Romania because of that country's policy of barring emigration for Family Reunification as insured by the Helsinki Accords, a treaty signed by both the United States and Romania.

Members of my family are at this very moment being denied permission to emigrate to the United States. This denial of human rights does not come from the misguided efforts of a lowly bureaucrat in the Romanian Passport Police. Rather it comes directly from the very top of Romania's government.

I speak specifically about Andrei Coler, his wife Elena Rautu Coler and their daughter Alexandra. The Coler Family's case has won the personal attention of Vice-President George Bush, former Secretary of State Alexander Haig, and from the outset has been known to Romanian President Nicolae Ceausescu. Other officials involved in this matter include Phillips Hugues, the Vice-President's National Security Advisor, Assistant Secretary of State Scanlan and Ambassador David Funderburk. Other Romanian officials involved include Foreign Minister Stefan Andrei, Ambassador Mircea Malitza and former Ambassador Corneliu Bogdan.

My son Richard is married to the former Luminitza (Lumi) Coler of Bucharest, a prize winning authoress whose promising career was crushed in 1976 by Romanian anti-Semitism. For a period of 18 months Lumi was denied the right to emigrate to Israel. During that time, she was harassed by the police and prevented from pursuing her chosen career. Her exit visa from Romania was blocked by Leonte Rautu, her brother Andrei's father-in-law.

Leonte Rautu was then a powerful and influential Romanian politician. One of the oldest members of the Romanian Communist Party, he had been a member of the government in exile, survived every post-revolutionary change of government and held a ranking position on the Polit Bureau.

It was only when Lumi was interviewed by the New York Times, spoke her mind and became a public embarrassment to him, that she was allowed to leave Romania—literally thrown out.

In spite of a general public impression that Romania is an "open" society (at least by Eastern European standards), nothing is further from the truth. Romania is an oppressive police state currently suffering severe economic problems and food shortages.

In order to secure a free life for themselves and their four-and-a-half year old daughter, and to join Lumi and other family members in America, Andrei and Elena Coler applied for exist visas. They have been refused three times. A copy of the last rejection is attached.

Andrei Coler had been anxious to leave Romania five years ago. However, his wife Elena, daughter of Leonte Rautu of the Polit Bureau, felt an obligation to remain with her widowed father whose villa they shared in Bucharest. In September, 1979 Elena changed her mind and decided that for the sake of their daughter, they had to leave Romania.

Elena asked her father for assistance in preparing the way, for without his support their exit would have been totally impossible. At first Rautu attempted to dissuade his daughter. Failing in this, he asked her to wait one year before applying for an exist visa. He wanted the time to settle his affairs and to "make arrangements."

In September, 1980 Rautu still had done nothing to further his children's plans. When Elena and Andrei demanded that he fulfill his promise, he asked for one more month. A month-by-month extension continued until April, 1981. At that time, disgusted with her father's betrayal, Elena flatly told him that either he go to President Ceausescu to get things worked-out, or she and Andrei would go directly to the Passport authorities to make a formal request.

In response to this ultimatum, in late April and/or early May, 1981 Rautu finally did discuss the problem with President Ceausescu and his wife Elena. Both the President and the First Lady were adamant in their refusal to grant the young Colers exit visas. Rautu reported this to his children. They advised him that unless he try again they would go to the Passport authorities anyway.

A second audience took place. When Rautu convinced President Ceausescu that the young people were determined, a deal was struck: Andrei and Elena could apply for visas provided they did not do so from Rautu's home address. Accordingly, to show his loyalty to the President, Rautu evicted his daughter, son-in-law and granddaughter from his villa. They moved into a two-room apartment with Andrei's parents until Rautu found them a flat on the 9th floor of a semi-completed building which did not have a working elevator, hot water or lights in the stairwells.

I ask you to picture little Alexandra Coler climbing nine flights of stairs, or being carried up them, and then ask you to consider what sort of man, and what sort of system, could do this to a child?

In June, 1981 at a major Romanian Party Congress, President Ceausescu spoke against the treason of emigration from Romania for the vile motivation of a few dollars. He warned parents that they would be held responsible for the actions of their children. In August, 1981 Leonte Rautu was dismissed from the Polit Bureau with unheard of fan fare. The Party paper *Scânteia* carried an article about an official who had been sacked because members of his family desired to leave Romania. News of Rautu's dismissal was carried in many European papers and in the Wall Street Journal.

In fact, Rautu had been singled-out for special treatment and to this day Andrei and Elena suffer from it. There have been other cases of high officials and defecting family members. But in the majority of these cases all was hushed-up. One case known to the State Department involves a member-by-marriage of the Ceausescu family.

About a week after the Party Congress, July 14, 1981, Andrei Coler's family was denied the right to apply for an application for an emigration visa. This was in direct contravention of the deal Rautu had with Mr. Ceausescu: That if Rautu evicted his children they could apply for visas.

Obviously the program of attempting to obtain exit visas in a proper manner by dealing openly with top Romanian officials had failed.

On July 16, 1981 I called the office of Vice-President Bush. At the request of an aid in his National Security Office I wrote to him on July 18th. I explained in detail the situation and asked for his assistance since the Coler case was in the hands of the Romanian President.

The Vice-President's office and the Department of State immediately contacted Romania officials in Washington and Bucharest. These officials advised the Vice-President's aides that there was a bureaucratic foul-up, and that once my daughter-in-law Lumi became a U.S. citizen, a new application should meet with little trouble. (Lumi became a citizen on September 17, 1981. All necessary I.N.S. papers have been filed on behalf of the Colers.)

Soon afterwards, Andrei Coler was fired from his job as an audio engineer in the movie industry. His position in a "cultural" field was deemed to sensitive to be entrusted to one who wished to defect. His wife Elena, an English teacher, was also fired and expelled from the Communist Party. Elena's membership in the Party came not from political conviction, but was forced upon her by her father and her career choice. (It is important to note that Elena has received relief from the I.N.S. and can be issued an American entry visa.)

Their dismissals created a vicious "Catch-22" situation: In Romania it is against the law for an able person not to work. It is also against the law to accept employment beneath one's educational/professional qualifications. Elena was, and still is, barred from working and/or retraining. Andrei was offered, and accepted, only menial jobs. But each time he accepted a job he was rejected by the workers' committee at the place of employment. Because of the publically expressed fury of President Ceausescu everyone was afraid to deal with Andrei Coler. When Andrei finally was hired it was only due to the intervention of the President, the only person in Romania who can decide any detail of the Coler family's life.

After several months of existing in this never-never land, Andrei and Elena threatened Rautu with a scandal: If he did not intercede with President Ceausescu, they would announce their situation on Radio Free Europe. Thus motivated, Rautu went to Ceausescu. Soon, Andrei Coler received a phone call from the chief labor minister of Bucharest and employment was found. His salary is at the subsistance level.

On January 28, 1982 the Colers received their second official rejection of their visa application. This came in direct contradiction of assurances made to the Vice-President's office in July, 1981 that once Luminitza Coler Shapp became a U.S. citizen this case would flow smoothly.

Then came former Secretary of State Haig's trip to Romania last Spring.

Phillip Hughes informed us that the Secretary of State was carrying a list of priority emigration cases and that the Colers were on that list. Mr. Haig presented that list to Foreign Minister Stefan Adnrei in the presence of our Ambassador, David Funderburk. The Ambassador informed my son that as far as he can remember, the Coler case was the only one which Mr. Haig specifically mentioned during that meeting with Mr. Andrei.

At that time we had had every expectation of a speedy solution. The Secretary of State had personally discussed the case with his counterpart and the Vice-President's office was directly involved. We were wrong to hope so.

On May 22, 1982 Andrei Coler called us with the news that he had received a third and final rejection (a copy of which is attached).

On April 19, 1982 the Colers had a final hearing on their case. At that time they restated their case: They wished to emigrate to the Untied States under the Family Reunification provisions of the Helsinki Accords; they had no contact with Leonte Rautu. The Passport official told them that Rautu had indeed blocked their exist, but now that he was no longer in power there should be fewer problems. He advised them to write another appeal and explain the case again.

They wrote another letter (see attachements) and a month later recieved the final rejection of May 18, 1982 (see attachements). Their next appeal hearing may take place six months from now.

I must digress a bit and discuss former Romanian Ambassador Corneliu Bogdan's involvement.

I know the Ambassador's daughter. She lives in Washington with her American husband and daughter. But for a period of four years, she and her daughter were held in Bucharest, against their will, until President Ceausescu relented and ordered them released.

Ambassador Bogdan knows Andrei Coler personally, in fact, was with him on the day Mr. Haig met with Stefan Andrei. Also, Mr. Bogdan is fully aware of the Colers' situation.

When Ambassador Bogdan was in Washington this past March, he met with U.S. officials who asked for an up-date. Mr. Bogdan said that he really had no new information but would check.

This seemed strange in the extreme to us. How was it that such high-level U.S. interest in this case was generating such seeming disinterest on the part of the Romanians? We suspected that no one had told President Ceausescu about Mr. Haig's list or Mr. Bush's interest. When the Colers received their third rejection we were convinced that neither Stefan Andrei nor Mr. Bogdan had dared inform their President.

When my son visited Romania this past early June, we received confirmation of our suspicions. Ambassador Bogdan had told Andrei Coler that Stefan Andrei had not informed Mr. Ceausescu about Mr. Bush and Mr. Haig and was still waiting for the "right moment" to tell his President.

Since last month some things have changed, but others remain the same.

Unchanged is the condition of the Colers. The pressure under which they live is evident from their letters which I have attached to this testimony. Further, they live in constant dread of violating some minor, or new, Romanian law and possible jail term.

What has changed is that in late June, 1982 Stefan Andrei met Vice-President Bush. At this meeting, Mr. Andrei told Mr. Bush that President Ceausescu knew of the case, but that the problem was Rautu's objection.

We fear that if such ridiculous excuses are used, President Ceausescu can stall as long as he pleases, unless faced with stronger inducements, such as the loss of his emigration waiver and MFN.

Let us look at the facts: From the beginning the Romanian President has had personal knowledge of this case. He alluded to it at the Party Congress of June, 1981; he fired Rautu because of it, and later personally intervened to secure a job for Andrei Coler.

Since August, 1981 Rautu has been in disgrace, out of power. Is it possible that the Romanian President who could order a Polit Bureau member to evict his own children, and then arrange for his dismissal, now is unable to persuade that fallen exofficial to let his married daughter emigrate?

Andrei and Elena Coler are not specially trained people, privy to important information. Yet from the beginning this case has been in the hands of President Ceausescu, not in those of a lowly bureaucrat. This blatant violation of human rights does not come from a precinct house of the Passport authorities but from the Presidential Palace. The personal whims of Mr. and Mrs. Ceausescu control the fate of the Colers—just ask Ambasssador Bogdan, he knows from sad personal experience.

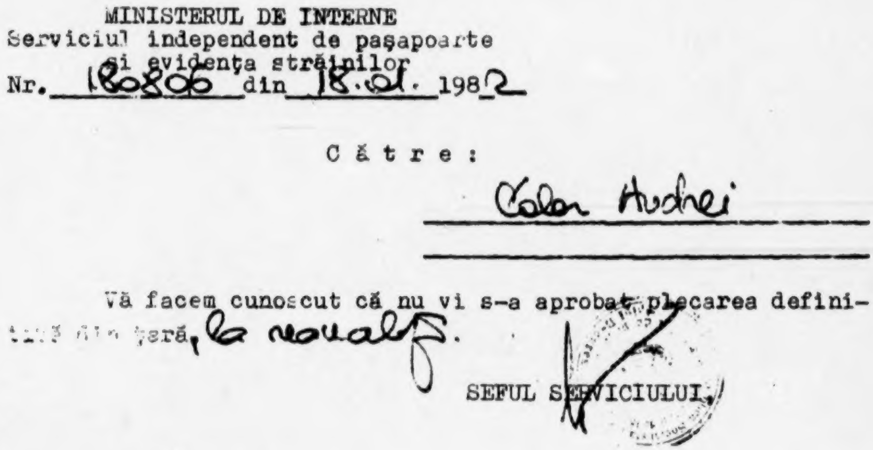
I have seen what this violation of human rights has done to my daughter-in-law, her parents and now to three very ordinary people who simply seek intellectual, political and personal freedom.

To vote to renew Romania's emigration waiver and MFN is to ensure that this capricious violation of human rights—which is wide spread—will continue with no fear on the part of the Romanian government that we mean what we say about human rights. At present, and until major changes occur in Romania's emigration policy, that country does not deserve continued favored treatment from the United States and its taxpayers.

The Colers, and thousands of ordinary people like them, look to this Committee for assistance. Send a strong message to Bucharest or they shall languish for years.

Thank you.

Third and final rejection by Romanian Passport authorities of the visa application made by ANDREI COLER on behalf of his family and himself. Attached to the testimony of Governor Milton J. Shapp.



MINISTERUL DE INTERNE
Serviciul independent de paşapoarte
şi evidenţa străinilor
Nr. 180806 din 18.05. 1982

C ă t r e :

Coler Andrei

Vă facem cunoscut că nu vi s-a aprobat plecarea definitivă din ţară, la reanaliză.

SEFUL SERVICIULUI,

MINISTRY OF THE INTERIOR
Independent Passport Service
and Control of Foreigners
No. 180806 of 18 May, 1982

TO:
Coler, Andrei

We inform you that you were not approved for emmigration from the country after a re-examination.

Chief of the Service (Stamp and initials)

Letter from ELENA RAUTU COLER,
attached to the testimony of
Governor Milton J. Shapp.
page -1-

My name is Elena Coler,Bucharest,Romania.

On June I/I98I I filed an application of immigration to the USA together with my husband Andrei Coler and our daughter Alexandra.We have received three refusals and fear the same for an indefinite period.I am not going to repeat the facts stated by my husband.We have thought things over together and I shall only enlarge upon the subject.

As you already know,my husband is working while I am not.I have been unemployed for almost a year.As a teacher I have no chance of finding a job,so I resorted to teaching English lessons privately.For you this may not look so bad,but the money I earn in this way,added to my husband's wages does not provide us with the necessary amount to live decently,especially since prices have risen.We cannot improve our wellbeing not only because the living standards are so low but also because I am deprived of the possibility to find a job as a teacher,editor,columnist or librarian for the simple reason that persons wishing to emigrate are fired,not hired.Moreover,there are no possibilities for me to be admitted to a school or to enroll myself for a course to receive a training in a non-ideological field for the same reasons.(All the professions mentioned above pertain fatally to Ideology).Looking for English students,who are very scarce,I had the opportunity to see that even private persons are afraid to deal with me,so I have found just a few.Besides the pecuniary side of the matter,and the fact that I am being disqualified,I am denied fundamental human rights.Nobody seems to care that,as a Romanian citizen I have the right to work in this country as well as to emigrate from it.Both of us became tabu persons in a world of fright and suspicion.We have been treated as outlaws though our wish is to leave Romania legally.Our application brought about an unheard of situation:the Party's most important paper Scinteia has written about the "family situation" of a high ranking official and announced that my father no longer acted as a member of the Politbureau.

To comment upon this fact is none of my business.What *is* my business is that I do not want myself,my husband and my daughter to live in a world where parrents are punished for the deeds of their children and the other way round.Our case is so special because I am the daughter of an important Romanian politician.By virtue of it I have been considered a non-person before the "scandal" in the press and after it too,up to the present day. When my father held his office I took on his merits automatically;since he no longer holds it I shoulder the responsability of his late tenure no more meritorious,as if I were not a person other than himself.I cannot cope with either of the two sides of the matter and I consider both of them intolerable and harmful for my ego.

Two years and a half ago I let my father know about my intention to emigrate.He was shocked but our positions being irreconciliable,he had no chance to disuade me by any rational or emotionam means.Subsequently he made no attempt in this direction but asked me to postpone for a year making application. I used to love my father very much and I agreed to this delay,believing that he had in mind to put in order his affairs and to have enough time to think the matter over and find the best way and moment to inform President Ceausescu, so that the latter should not doubt his loyalty.During the year I granted to him I grew aware that he simply forgot about me on the strength of a faultless system of psychic defense:he managed to forget about me because he feared me and *wanted* to forget the whole thing,which broke up his peace of mind.I sometimes refreshed his memory but the self-defense system did not linger to be set in motion.I refered to the psychological background of his behaviour in order to emphasize his selfcenteredness and explain the absence of any concern for me and my family.As soon as the year elapsed ,I reminded him that I was going to apply for emigration.He started asking me again to put it off on account of important things to do in connection with his career which he wan-

Letter from ELENA RAUTU COLER,
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ted closed honourably.The same scene repeated itself several times until another six months had passed.It was difficult for me to refuse him because I was tormented between contradictory drives:the wish to leave and my love for him.He used this inner conflict to his advantage and kept asking me to wait for the proper moment.However I started to suspect him of deliberately stalling,hoping that I either would give up or in a miracle to save him.When I realized that there would never be any proper moment,my husband and I applied for emigration for the USA.Nothing terrible happened until my father saw that he had to inform the President lest the latter learn about it from another source adn doubt his loyalty.The President ordered my father to throw me out of his house(we used to live together) and break off relations with us ,which he instantly did.We moved to my in-laws where we lived five persons in a very small flat.Happily the adress on our ID cards and on the emigration forms was still my father's,so he thought that if the adress remained the same this would prove he still maintained relations with us and this is how we got a flat just for ourselves.

Since then we have lived separately and all relations between us have been broken.My father is no longer a Politbureau member but is a Central Committee one.Fearing to lose this position too he does everything to preserve it,knowing very well that in doing so my chances to receive the permission to leave are much diminished.Even if he agreed to intercede for us, but this is unconceivable,it would be useless,for he is in disgrace.

In principle I have nothing against a man's wish to preserve his social position,but not at all costs.What I resent most is that family relations are dictated by political interests while I view them as two completely separate sides of life.I want to live in a place where such a separation is possible.

We have vainly tried,both in writing and orally,to convince the officialdom that we are not responsible for my father's deeds and for what he was. We have vainly asked them to regard us as ordinary people;we have vainly tried to explain to them how unsubstantial is my father's opposition to our leaving Romania,how unrightful is his involvement in my life or in my husband's who happens not to be his son.But the answer was that my father's opposition is taken into account out of humanitarian reasons.No logical argument was workable and we expect to be given the same answer at the next appeal hearing.

From a reliable source I know that President Ceausescu has not been informed about Mr.Haig and Mr.Bush's interest in our case.We cannot do anything from here.There are no open ways for us and we have practically no one to adress and ask to submit our case to President Ceausescu.That is why our last hope are the July Senate hearings.

Thank you for your attention,

Letter from ANDREI COLER,
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My name is Andrei Coler, Bucharest, Romania.

On June I/I98I I filed an application of emigration to the USA, together with ma wife Elena Rautu Coler and our daughter Alexandra. Our petition has been refused three times.

By virtue of the Helsinki accords regarding the family reunification, a documant ratified by Romania, our request is justified: my sister Luminitza Coler Shapp is an American citizen.

A propitious and fast solution of our case is vital for us and we need your support because from the very beginning our case has been dealt with only at the highest level. In other words, the power to resolve our case lies not in the hands of minor officials. Knowing this, we appealed to our relatives in the States and thus our case became a concern of the Secretary of State and the Vice President. During Mr. Haig's visit to Romania he gave notice about his personal interest in us to the Romanian officials he met with. Unfortunately this does not seem to have been enough. Nobody here dares to tell President Ceausescu about Mr. Haig's concern in us and nobody dares to take a favourable decision regarding our case. Our President is the only person in the position to make such a decision.

It may seem strange that the lives of two ordinary citizens, who have committed no crime, have done nothing illegal, nothing to the detriment of their motherland, must become a presidential matter. However, this is how things stand.

I assure you that we ask for your assistance only after having become certain that all future attempts to solve pur case here will be as fruitless as those already taken. Here is a short history of our case:

After applying for immigration visas, both my wife and I were fired from our work: I as a sound technician, she as an English teacher. We were officially

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informed that the reason of our dismissal was our application for immigration into the USA.This was an arbitrary decicion with no constitutional basis.For three months we were practically devoid of any means of livelihood.Allotments for unemployed people do not exist in this country and neither does uneployment.Since our dismissals neither of us have had the opportunity to pursue our professions the officials considering that I,as a film sound technician and my wife,as a teacher of English were not suitable for Culture and Education respectively.At first I was offered an engineering job but two days later this decision was cancelled without any explanation.I was left on my own in a country where private enterprise is non-existant and the State manages labour power. Thus, obtaining a job on a personal basis was both impossible and illegal. There are Employment Offices, but they are specialized in providing jobs for paroled prisoners, prostitutes and other "social parasites", unemployment being theoretically non-existant and unemployed people pursued by the police. Our constitution not only foresees the right, but also the obligation, to work. The Employment Office offered me various menial jobs, all of which I accepted in turn, but vainly, since each time I was rejected by the Personnel Dpt.

Finally I got an engineering job at a Computer Service Unit, but not through the usual channels : my father-in-law, a former member of the Politbureau, interceded for me with President Ceausescu himself. My father-in-law opposes our wish to emigrate and has done everything in his power to prevent us from leaving. His intersection illustrates this clearly. Afraid of the scandal we were preparing to create over RFE, he considered it safer for himself to obtain a job for me and thus keep me quiet. With a job in hand, the scandal itself would have been an act of useless martyrdom with long lasting consequences. So I took the job - a wise decision since we are still here and

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with the money I earn we can at least keep body and soul together. My wife still has no job.

We thought that like all other appliants we were supposed to patiently go through the usual stages of waiting. These stages have no definite time period. But now we are convinced that we do not pass through a routine period and know that only a top level resolution can solve our case. Waiting until the proper lower bureaucrats will finally tackle our case means waiting indefinitely. The institutions in our country are centralised and any private initiative regarding our case is inconceivable.

During the first appeal hearing (on April I982) which took 8 months to get after we had filed for immigration visas, the official in charge of our case informed us that my father-in-law's opposition and the fact that we do not represent a family reunification case, are the reasons for our being refused. After this hearing we received our third refusal. We asked for another hearing, which may be in another 8 months.

Most certainly we shall receive the same answers at the next hearing, unless President Ceausescu himself is informed about Mr. Haig's and Bush's interest in us. At least we hope this. Without their intercession, and without the Senate's influence, our case is left in the hands of minor bureaucrats with no power of decision.

Thank you for your attention,

A Coler

Translation of a letter sent to the Romanian Passport authorities by ELENA RAUTU COLER; attached to the testimony of Governor Milton J. Shapp.

Comrade Commander,

Undersigned Elena Coler, Bucharest, sector I, Bd. Titulescu, no. 8I-87, bloc I0, sc. B(II), apt. 56, I should like to inform you about some facts concerning myself and my family.

On June I/I98I I applied for emigration to the USA together with my husband Andrei Coler and our daughter Alexandra. My husband has a sister in the USA, Luminitza Shapp, who is an American citizen. We have received two refusals. On April I9/I982 we had a hearing at the Independent Service of Passports and Accounts of Foreign Persons. From the talk we had with the official in charge of our case it followed that we have not received permission to emigrate because my father, Leonte Rautu, opposes it and because we do not represent a family reunification case.

I should like to expound a little on the situation and append additional facts unmentioned in the previous notes of protest.

As far as my father's opposition is concerned, it must be reanalysed in its real light: a few days after putting forward our application we left the house we shared with my father at his request. Since then he has lived with my sister and brother-in-law.

As our household is completely separated from his, he does not depend on me pecuniarily, the separation between us must be understood as a split, as a complete severance of relations between the two sides. The facts prove that he does not need me either for material, or for spiritual support. He manages very well without me and we have become two strangers.

Thus his opposition to my wish to emigrate turns out to be utterly unjustified. As far as I know, there is no formal opposition from him. We simply learned at the hearing that he had been consulted. If the parents' oppinion to their major children's decisions is so much taken into account (I am 30 and my husband is 32), then it would be natural to take into consideration my father and mother in law's positions too. They not only did not break off relations with us, but have continually cared about us, provided us with material and moral support, being for me like real parents.

During the hearing we learned that only my father had been consulted, as if only I had applied for emigration to the USA, my husband being ignored in this respect, but not in others. I encolse my parents-in-law's statement to the present paper.

As to the fact that we do not represent a family reunification case, this does not follow from the accords signed by Romania at Helsinki. On the contrary. The usage, namely the existence of a heading called "the motives of emigration" in the forms we had to fill in did not allow us to enlarge upon the subject, and I use this opportunity to specify that our wish to live in the USA with my sister-in-law is the main motive, my husband being extremely attached to her. Besides, I should like to mention his wish to improve his training as a film sound engineer in the USA. As for myself, I love my husband and I want to be with him, but I must confess I have a new motive to emigrate, namely to work and earn money like any other person. Here I am unemployed and I am not allowed to find an appropriate job for reasons I disagree with and which I consider illegal.

We respectfully ask you to reconsider our case in this light. I assure you that being full grown persons, we and nobody else are responsible for our deeds and a decision like that cannot be but irevocable. We will insist until our case is favourably solved.

Respectfully,

Translation of a letter sent to the Romanian Passport authorities by ELENA RAUTU COLER; attached to the testimony of Governor Milton J. Shapp.

Chairman GIBBONS. Governor, I appreciate your statement. It is obvious to me that all is not well in Romania, nor has it been well for a long time, and it is obvious that either House of the Congress can deny the extension of most-favored-nation treatment by a simple majority vote, and I must admit that I am sorely tempted to do that.

I wonder, though, what would happen if we do it.

Would not your family be subjected to even more harsh and unreasonable treatment—if not the thousands of others who are apparently trying to escape oppression?

I am sure this has worried you for a long time. You have a reputation as being a very responsible person.

We have responsible people, also, inside of Romania. Five of three Presidents—Ford, Carter, and Reagan—have all recommended that we continue the most-favored-nation treatment; that they think it will improve emigration and have also certified to the Congress that it will improve freedom of emigration and human rights in those countries.

I would like to discuss that matter with you and your family more.

Mr. MILTON SHAPP. I appreciate your feelings in this matter, because this has been a matter of discussion among us.

Her family is there. Her parents live in Bucharest. They have had freedom to come visit with us and to go back, and my son, Dick, had the opportunity just a month ago to go into Romania with my grandchild, their grandchild, I should say, and to visit.

The situation cannot be all black, all white, and that is because of the very issues you have raised.

However, I do believe that if the United States were to make a forceful stand against the type of government that is now operating in Romania, that and only that can bring Ceausescu into a realm of reason.

He is a dictator. He runs things as he has always run things—through oppression—and this must be known to many that the United States recognizes this, and is not willy-nilly agreeing to support the present situation.

Perhaps my son would like to comment.

Mr. RICHARD SHAPP. Mr. Chairman, with the extension of this trading status——

Chairman GIBBONS. You have somebody's microphone, but it does not work.

That one works.

Mr. RICHARD SHAPP. Has emigration improved with the extension of most-favored-nation trading status over the years? The facts are, with the extension, time after time it has not improved. It took my wife 18 months to get out, but now we have a situation where my family is trying to legally leave Romania and it is being denied to them by the President of Romania exclusively. Has this trading status at all helped get people out on a normal basis, regularly, as part of the Helsinki Accords?

Chairman GIBBONS. That has always worried me. We have some trade with Romania. It is not great. The Romanians think it would grow, if we would give them longer periods of MFN treatment, they say no American business.

We have American business tell us the same thing: No one wants to finalize a relationship with them, because they think it would be a short-term relationship. Further, our trade with Romania is not so great that we really have a lever on them with this trade provision that we are working on.

I don't know whether the withdrawal of most-favored-nation status will just incite a dictator to do worse. I don't condone anything that Mr. Ceausescu is doing, but I have seen them do far worse, and I wonder whether I ought to try to excite him any more.

Mr. RICHARD SHAPP. From the Romanians I have met during my visits there—and these people are living in sector 1, which is the section where all the leadership and upper level people live—they all have expressed a desire that something must be done; that if the Romanians are continually given the extension as a matter of course, they are positive that the situation will only get more repressive, "because we have it in the bag—what do we have to worry about?"

This is what I have picked up on my three trips there. The people want some sort of affirmative action so that they can cling to some hope, and they think this is the only chance that they have, although there is no guarantee it could not get worse because of this.

Chairman GIBBONS. Do they really think that our trade is that essential to the Ceausescu government; that he would make that kind of decision which must be an internal political decision?

Mrs. SHAPP. Coming from there, every year when these hearings and the decision came up, people really hope, because it is a period, like a month before, when people get out easier, so everybody has their hopes to these hearings.

They really do. I lived there for 29 years. I was born there and involved in dissident movements and I am Jewish, also. All that was said here is true, and the Romanians who want to leave the country, or to have some more freedom, or just to have the attention of the West as a protective factor for them, rely a lot upon these hearings and the most-favored-nation status.

Chairman GIBBONS. Why do you think Ceausescu wants to keep your family? I mean, your family and other families?

Mrs. SHAPP. You can't really read his mind. I don't know why. I think it is a personal power; he just wants to show that he can do whatever he wants with people's lives.

Chairman GIBBONS. If he acts that irrationally, if we goad him on further, might he not act that way with other families?

Mrs. SHAPP. I can't answer. It is very unpredictable, and all I can tell you, though, the pattern is that your life is not yours, and whatever they decide, you don't question because you are never given a reason.

Mr. MILTON SHAPP. Does a decision made by the U.S. Government help keep the same, or harm the status, of the people of Romania, or they must leave—well, my gut feeling is that denying favored-nation status to Romania would be of considerable help, because they have no hope. The people are looking to the United States really as the only place where they can get hope. Congress, by refusing to grant the favored-nation status, would send a signal to the people that there is a force in this world that is on their side.

To deny that to them could be a very severe psychological blow, and also it would remove whatever leverage we have to be of help in this situation.

We can't interfere directly with the activities of this nation, but we can, by putting this type of pressure on their government, give some hope to the people in Romania that there are people out there who are trying to help them live better lives.

Chairman GIBBONS. Mr. Schulze?

Mr. SCHULZE. I agree with you wholeheartedly. I think there comes a time when we must stand for principle. Hopefully that would not inflict pain on those involved. The Romanian Government has not been cooperative.

They have been as obstructive as they possibly could, and you see the cycles when MFN comes up, there has been an attempt to obfuscate and cloud the issue and make it look like there is progress, when there really is no progress.

The answer to the chairman's question is, Can Ceausescu afford to have open emigration in Romania, and the answer has to be "no," because the political system is so oppressive, if there was open emigration, the intellegentsia, those who are in power positions, those who make the economy work to the degree it does, would probably be the first to leave.

Lumi, I would like to ask you: We have had testimony about increased pressure and increased resistance to emigration, and I wonder if you could give us your firsthand observation of the problems you ran into in the effort to emigrate.

We have been told that loss of jobs, and so forth.

Mrs. SHAPP. I was a writer, fiction writer, and I was Jewish and, having a Jewish name, when Romania became very nationalistic, I could not really publish under my name, and I decided to leave the country. They just told me no, after about a year and a half of struggle. I didn't have anywhere to go, and they said, don't come to the authorities; don't write to us, or do anything.

At that time, I joined a very new dissident group. Being involved in a very new thing in Romania was a little scary, but I had friends over here, particularly from the UPI. They kept an eye on me and called me from abroad; so I was not harmed.

I think the Government decided they were better off letting me go, and I got out as fast as I could.

What helped me was American interest in my case—people from the B'nai B'rith organization, and my friend from UPI who was in Belgrade at the time. The Romanian secret police officers knew that. These are not things I know for sure. Nobody told me, "That is why you leave."

Other friends of mine involved in the same movement were stalled for a while, held by the police, harassed for a long time, but some of them eventually got out.

Many of them are in Paris, and one of them is the writer that probably—he disappeared, anyhow, recently. Then after a while, they stopped letting people go because the movement died.

Mr. **Schulze**. When we were in Romania, we were told that the Jewish population is aged, and that most of them now do not desire to emigrate.

Does that agree with your observations?

Mrs. **Shapp**. Basically.

In my own family, you have both sides. I have my parents; they are in their seventies, and, they do not desire to emigrate, and unless it becomes really impossible to get food, I don't think they will.

I have my younger brother and his wife and 4-year-old daughter; they are desperate to get out.

Mr. **Schulze**. What kind of obstructions have they found?

Mrs. **Shapp**. They are in a delicate position because my sister-in-law's father was such a prominent figure there; so I don't know.

They are personally known by the Ceausescu family, and it is his decision. My sister-in-law is an English teacher, and my brother is an electrical engineer, and they never had anything to do with secrets or anything sensitive at all; but they can't work any more because teaching is considered educating new generations. People that want to leave Romania are not appropriate to do that job, so she will never be able to work if she stays there.

My brother applied for emigration, but where he is employed, people are afraid that at one point he might leave, so they don't give him anything to do. He gets a salary, but he is getting disqualified this way. He can't use his knowledge, and he is sitting around doing nothing. If they stay there for 50 more years, that will probably stay the same.

Mr. **Milton Shapp**. One of the answers to the question you posed to Lumi is [illegible] I mentioned before in my testimony, Lumi's brother's wife's father, Rautu, who is one of the top Romanian officials. Ceausescu [illegible] Rautu, and then Lumi's brother and his wife left Rautu's [illegible] and were given new lodging on the eighth or ninth floor [illegible] building without an elevator. They have a 4-year-old child [illegible] brother can't get a job in his profession, which is as an audio engineer. There is absolutely no future at all for him or his family in Romania.

Unless he gets out and comes to the United States, Germany, or England, or somewhere, there is just no place for him in this world.

Mr. **Schulze**. Sounds like a very debilitating process.

Mr. **Milton Shapp**. It is debilitating as well as humiliating.

Chairman **Gibbons**. Mr. Bailey?

Mr. **Bailey**. I had occasions in the past where I have met personally with the Romanian Ambassador and, in fact, just recently with the new Ambassador, and have had some success. I just want to say to you, Governor, in particular, I will do everything I can to help in this case.

It is a difficult tightrope we sometimes walk, because in relative terms, of course, the relationship between the Romanian Government and what appears to be a far more oppressive Soviet Government is such that from a foreign policy point of view, it is very, very tempting to look at Romania as a sunny country as you know. Therefore, in order to keep the lines of communication open and to keep Romania in an environment where they are not supportive of Soviet policies, it is very tempting to just overlook the basic needs of individuals who suffer the way the people you have mentioned suffer.

They seem more concerned with their face than they are with results sometimes.

I will do everything within my power to cooperate with you, to help, to sit down with them. Behind closed doors, you can be awfully tough with them sometimes, and it gets things done, as you know.

Mr. **Milton Shapp**. I have been in that position.

Mr. **Bailey**. I know that you have. I am aware of that, and I know how difficult it can be. But they are very solicitous of this approach here. Unfortunately what happens, particularly in our executive branch, is a tendency to sit there and trade with somewhat of an open door. There is a desire to keep that country distant from the Soviet Union and tolerate some things we would never tolerate in other situations.

Mr. **Milton Shapp**. It is easy for me to talk on a personal basis, because it is a family matter, but the issue here transcends what is going on with members of my personal family.

We are dealing with a policy of a nation, and it is not just Andrei and his wife and his child; there are many, many thousands of people in Romania who are being abused one way or another by this government. For the United States to recognize Romania's policy and grant to that government the favored-nation status—to simply say, go ahead with these policies, we will close our eyes on this because we are looking at the major enemy, the Soviets—I believe puts this country in a very peculiar position.

We have to look at this from a position of the relationship of our country with another nation—Romania—that tolerates such abuses of human dignity. That is my view on it.

Mr. **Bailey**. I want to tell you, I think you are absolutely correct. If it was not a precipitous time in the past, it has now come to a place, given the nature of world communication and opinion, that we realize here in the United States that there is in the long run, need to adopt a more singular, more unified or more consistent course in terms of our approach to human rights. If we put our foot down a little bit and get smart enough to realize the huge economic strength we have, as opposed to bartering it away, we would get far better cooperation. Those little political things like respect for a small Jewish family's rights in some foreign country. Those kinds of things speak with a very, very loud voice.

I have to endorse your point of view. I think you are right. We would be better off in the long run. I am not talking about being so categorically narrowminded that we start to dictate to countries all over the world what kind of internal political order they must have. But, in this case, it is flat political sense. You are 100-percent right. I will do what I can to help you, in short.

Mr. **Milton Shapp**. Thank you.

Chairman **Gibbons**. Governor, and your family, we appreciate so much your coming.

We are deeply interested in the thoughts of your own family, and I want to applaud the very statesmanlike position you have taken. It is essential that they understand we are not going to deal with them on an exclusive case-by-case basis, because that would be a never-ending process; that unless we were to have more information than we ever could have, we would never be able to successfully conclude our objectives there.

Mr. Milton Shapp. I appreciate the opportunity to express our views.

Chairman Gibbons. We will consider it very deeply and remember your testimony.

Mr. Milton Shapp. Thank you, sir.

Chairman Gibbons. Our next witness is Mr. Milton F. Rosenthal, representing the Chamber of Commerce of the United States.

We welcome you here, and you may proceed as you wish.

STATEMENT OF MILTON F. ROSENTHAL, U.S. CHAIRMAN, ROMANIAN-UNITED STATES ECONOMIC COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES

Mr. Rosenthal. Thank you, Mr. Chairman, Congressmen.

My statement is rather brief, and, with your permission, I would like to read it.

Chairman Gibbons. Certainly.

Mr. Rosenthal. My name is Milton F. Rosenthal, and I am U.S. chairman of the Romanian-United States Economic Council. I am also chairman of the board of the Engelhard Corp. and a consultant and director of Phibro-Salomon, Inc.

I am the retired chairman, president and chief executive officer of Engelhard Minerals & Chemicals Corp.

I welcome this opportunity to testify on behalf of the American membership of the Economic Council in favor of continuing most-favored-nation tariff status for Romania.

The council was established in 1973 by the United States and Romanian Chambers of Commerce to provide a channel of communication between business leaders in the two countries. Its members represent a broad cross-section of commerce and industry dedicated to the improvement of United States-Romanian commercial relations. A list of the American membership is attached to this statement. I have served as American cochairman of the council since 1975.

Since its establishment nearly 9 years ago, the council has developed into an important vehicle for channeling policy recommendations from the business community to our two Governments. In this regard, we are particularly pleased to have this opportunity to reemphasize the importance of most-favored-nation tariff treatment to our bilateral commercial relationship.

Most-favored-nation tariff status has served as the linchpin of the United States-Romanian commercial relationship since the finalization of the bilateral trade agreement 7 years ago. The trade agreement has served as the basis for consultation over potential market disruption situations, as well as over other potential trade problems. It has also given American business the legal basis for discussing such issues as business representation and patent protection and for settling trade difficulties.

The council convenes every year for extensive discussions between the American and Romanian members. These sessions span a 2-day period and provide a forum for a full, frank, and realistic dialog. The site of the meetings alternates each year between the United States and Romania. Last year, the meetings took place in Houston and were well attended.

This year, they will be held in October in Romania, and we expect the American delegation to include scores of businessmen interested in marketing their products in Romania or in purchasing products of Romanian manufacture. The two-way trade this year will likely exceed $1 billion.

I personally have had the opportunity in recent months to meet with Romanian President Nicolae Ceausescu and with the country's new Foreign Trade Minister, Nicolae Constantin, as well as with the Romanian Ambassador to this country, Mircea Malita. Among the topics discussed in these meetings were the status of Romania's economic and financial difficulties and the state of the United States-Romanian bilateral relationship. I have also stressed the importance of maintaining a liberal policy in the area of emigration.

As you can well imagine, there is a great deal of concern in Romania over the possible ramifications current world political and economic developments might have on the already strained Romanian economy. Because of the financial situation there, Romanian authorities must carefully calculate foreign trade needs and obligations. Uncertainties over the continuation of most-favored-nation tariff status can only complicate this process.

Romania has been a good and reliable friend to the United States, despite differences in our political and economic systems. Romania has sought to link itself closer to the United States and other Western countries through the vehicle of trade and commercial cooperation. It has also attempted to integrate itself into the world economy through membership in such organizations as the GATT, the IMF, and the World Bank. More than 50 percent of Romania's foreign trade is with non-Communist countries.

In response to my request, the Romanian Ambassador has furnished me with emigration statistics for 1981 and for the first 5 months of this year. According to these figures, 2,501 persons received the approval of the Romanian authorities to leave that country for the United States in 1981, while 1,102 persons received approval to leave for Israel.

By contrast, in the first 5 months of 1982, 1,349 persons received approval to leave for the United States and 621 for Israel. The monthly rate of approval for 1982 exceeds the average monthly rate of 1981 by a considerable margin.

I have also been informed that of the 652 cases on the list given to the Romanian Embassy by B'nai B'rith International, 485 have been approved, 66 are in the final stage of approval, 60 are under active consideration, 3 persons passed away, 8 have withdrawn their applications, and the remaining 30 have not submitted an application for emigration.

The American membership in the Romanian-United States Economic Council believes it very important for the United States to affirm its commercial ties with Romania. We were encouraged by the positive tone of recent deliberations between Commerce Secretary Malcolm Baldrige and Romanian Foreign Trade Minister Nicolae Constantin.

We would be further encouraged by affirmative and expeditious United States prolongation of Romanian most-favored-nation tariff status.

That concludes my statement, and I am prepared to respond to any questions you and your colleagues might seek to direct to me.

[An attachment to the prepared statement follows:]

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Attachment

JULY 1982

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Chairman Gibbons. Mr. Rosenthal, it is your statement, and the statement of other responsible people such as Governor Shapp, that put this committee in a terrible position.

Your statements are almost diametrically opposed why you didn't endorse the emigration policy of the People's Republic of Romania.

You do urge us to continue most-favored-nation treatment, while Governor Shapp and his family take the opposite position.

I wonder in your discussion with the Romanians how forceful you and members of your committee have been to the Romanian Government on these matters. How much have you discussed it with them? What is their response? Why do they want to keep these people within their country, when they obviously want to leave?

Mr. Rosenthal. Their response to me has been to cite the record of emigration, both the previous history and the current. They point out to me there were 400,000 Jewish people remaining in Romania at the end of World War II, and 300,000 have emigrated, and they say this is an exemplary record which no other Eastern country can emulate.

They are handling current applications for emigration in accordance with the statistics that I have outlined here.

The chief rabbi of Romania has made statements in this country and in Romania and elsewhere expressing satisfaction with the overall procedures which are being applied.

I am not going to appear here as an apologist for any other country's record with respect to human rights and emigration.

I happen to agree with the free movement internationally of people and concepts, and when I see these people, I point out that interests in human rights and in free emigration are extremely important to the American society and their representatives in Congress, and that if the Romanians seek to have an enduring relationship with the American people, and with the American Congress, they would do well to heed these concerns.

I have intervened in individual cases with some degree of success.

Chairman Gibbons. Let me ask you, when you are in Romania or even in this country, are you ever contacted by people that want to leave and seek your advice or counsel or help?

Mr. Rosenthal. Yes, I am, from time to time, although, obviously, that is not my primary capability or responsibility, but I am contacted from time to time by such people.

Chairman Gibbons. Would you say, in your opinion, that there are a large number of people or not a large number of people in Romania who still want to seek the right to emigrate and have been denied that? What is your feeling on that?

Mr. Rosenthal. My feeling is that the number is not large, but that there are people there who still have the desire to leave, as evidenced by the fact that applications are being filed and many permits are being granted.

I think, however, that has to be taken in context of the number of people who are still there, let us say, of the Jewish faith, who are interested in emigration.

There are many such people there who have no desire to emigrate; they would be lost in another country. They have their roots in that country, and they would feel abandoned if they moved elsewhere.

Chairman GIBBONS. I can understand that.

You heard Governor Shapp, I assume?

Mr. ROSENTHAL. I did, indeed.

Chairman GIBBONS. He gave quite a moving statement. I have a great deal of respect for his sincerity, and I am sure you do, too, and I have a great deal of respect for your sincerity. It is that dilemma that the committee finds itself in every time we have to make this decision.

I assume that you feel, by peaceful means or less dramatic means, by establishing more and better trade relations with Romania, that we can have a long-run, positive impact on its economy and on its political situation.

Is that your belief?

Mr. ROSENTHAL. I think extensive trade between a country of Communist persuasion and the Western industrialized countries will foster a degree of interdependence which will make them much more receptive to abiding by international standards of conduct.

It is, however, not something that can be accomplished overnight or in a short period of time, but I think that over an extended period of time, trade and commerce between countries of different political persuasions can have extremely beneficial effects in ameliorating tendencies which we in this country deplore.

Chairman GIBBONS. I agree with you, but the crux of the matter comes down to, how long can we continue to apparently trade people's individual freedom for the success of that process?

My own tolerance is running very short, and I think I am a very tolerant person.

Can you think of any way that we can expedite the release of people within Romania; that we are not now doing?

Mr. ROSENTHAL. I think that on a broad scale, the process is working fairly well as demonstrated by the statistics that I cited.

I think there are undoubtedly individual hard cases, such as the one described by Governor Shapp. I know nothing about that except what I heard him state, but I did hear him say that this individual—I think his name was Rautu; I never met him, who was at one time an important figure in the Romanian political hierarchy had opposed the emigration of his daughter and son-in-law and grandchild by intervening with the President of the country.

I know nothing about it beyond that, but it strikes me that it is somewhat of a family problem in a father not wanting his daughter and daughter's offspring to go away. Individuals should have the freedom to go where they want to go, but there may be an element of this in the denial of that particular application, because I have seen many applications granted which do not have the cogency for emigration that this individual case seems to have.

I deeply sympathize with Governor Shapp and his family.

Chairman GIBBONS. You pointed out that the Romanian authorities had given you these figures, and I don't dispute the figures.

We had witnesses yesterday who said, though, that just because someone has been granted a right to leave does not mean that they are going to be able to leave; that that is just another step in the whole process of finally exiting the country; that the right to leave and the actual leaving are not synonymous.

Have you ever had an opportunity to follow up on any of these figures, to confirm that these people have actually left?

Mr. ROSENTHAL. There was a period of time when I was told that there was a noticeable gap between the grant of promise to emigrate and the actual departure of the individuals, and I took this up with a number of important Romanian officials, and I said that as far as I was concerned, I could not be supportive of a process whereby somebody was granted a judicial right and then the right was not permitted to be exercised, and that if they really wanted to have a good press with the American public, and with Congress, they had better narrow that gap so that it only related to administrative procedures which would be normal under any circumstances.

I am told that they have tried to do this. Now, I will tell you that from my own experience, bureaucratic procedures in that country and in similar countries take more time than they would in the societies that we normally frequent ourselves, because it is a very ponderous bureacracy; but I have no reason, based on any information or knowledge of my own, to doubt their intent actually to permit an individual or a family to leave, once they have granted the emigration permit.

Mr. SCHULZE. Thank you, Mr. Chairman, and thank you, Mr. Rosenthal.

To your knowledge, have you, or members of your group, ever been offered or had suggested to them that they make illicit trades with Romania?

Mr. ROSENTHAL. Illicit?

Mr. SCHULZE. Yes.

Mr. ROSENTHAL. Nothing of that sort has ever come to my attention.

Mr. SCHULZE. Do you think you would have knowledge?

Mr. ROSENTHAL. I would think, considering the fact that I have held this position as the American Chairman of this organization for 7 years, that something of that nature would come to my attention.

Mr. SCHULZE. I have before me a case. It is a letter that I am going to paraphrase somewhat. It says that while in Bucharest, a gentleman—eliminating his name—of the Ministry of Foreign Trade approached me. He tried to obtain integrated circuits without an export license; enclosed are handwritten lists depicting those integrated circuits. He was also very insistent that I write a letter to my Congressman in order to influence the U.S. Congress to retain Romania's most-favored-nation status. He requested that a copy of the letter be sent to him.

In return, he held out promise of payment and billions of dollars in illicit trade.

Do you care to comment on that?

Mr. ROSENTHAL. I am startled by this, but, on the other hand, it is always possible that some person trying to curry favor with his superiors such as this Romanian individual, thought he would intervene, and then claim to be a hero later on in having produced a certain result.

But I am speculating here. I know nothing about it, and I have never heard of anything resembling this.

I have mentioned in my statement that, to the Romanians, the most-favored-nation treatment is the linchpin of their bilateral relationship with this country. It has great symbolic importance to them vis-a-vis their trade relationships with other countries as well, and I have heard on many occasions comments from Romanian individuals who have deplored the fact that they have to apply year after year to obtain a prolongation of MFN status. They have asked why it would not be possible for that to be granted for a longer term.

It is normal for them to refer to this question of MFN. They all know about it. I am not surprised that a Ministry of Foreign Trade official would ask an American businessman to contact his Congressman to try to obtain favorable action with respect to the prolongation of MFN, but I have never heard of an offer of illicit business being made as a bribe for that being done.

I have never heard it. It is stupid to make such a suggestion to the typical American businessman who has his antennae out to avoid running afoul of that sort of risk.

Mr. SCHULZE. You stated earlier, continual MFN and continual liaison with the nations would help them increase their standards of international conduct. This example says to me that that will not happen, but that perhaps if we do continue MFN, that it will do nothing but lead to greater attempts at industrial espionage.

We have seen examples of this with friendly nations. This does not shock me as much as it does you. I think there is more of it going on than we are aware of.

I think the gentleman who came to me has an awful lot of integrity and fortitude and was willing to come forth and state the situation that he encountered, and I have a copy of a handwritten list by a gentleman from the Ministry of Trade of the products that he wanted to be secured.

Mr. ROSENTHAL. May I make a suggestion?

I think I am fairly well known in the ranks of American industry, because I have occupied some important posts for 35 years with major corporations. I would encourage that individual to come to me with that information and let me look into it and see what I can do about it, because I am, as I said, appalled by the suggestion that the American businessman should——

Mr. SCHULZE. I will also share that information and also with the other members of the committee. I think, quite frankly, this type of pressure being brought to bear on a businessman, and, for all I know, this is just one example of many occasions where this may have happened, to be brought to try to influence the U.S. Congress is abominable, and if for that reason and no other, I think, quite frankly, that the time has come that we should cut off MFN without any further ado.

Mr. ROSENTHAL. Congressman, if I believed that that was a typical action on the part of any country with which we have commercial relations, I would share that same conclusion with you, but I have, as a result of my experience with these people, I have never seen any evidence that that is their attitude.

They are very much upset with the licensing procedure of the Department of Commerce, with the time that it takes to obtain licenses from the Department of Commerce.

Secretary Baldrige, himself, has addressed this question, and is trying to expedite that procedure, so that conclusions can be reached, and whether a license is granted or denied, at least that it does not hang in limbo for a long period of time. I recently heard the Secretary discuss this with the Romanian Minister of Foreign Trade, and state that that was something that was considered to be highly important by the department, and they would try to expedite that procedure.

Mr. SCHULZE. I have also discussed with Secretary Baldrige this matter, but, in my opinion, there is no excuse for a member of a foreign government to offer an American businessman millions of dollars' worth of foreign business and also in the same breath ask him to pressure a Member of Congress in supporting the most-favored-nation status.

Mr. ROSENTHAL. I thoroughly agree with you.

Mr. SCHULZE. I would have to assume it is somewhat official policy if it does come like that, and perhaps there are other occasions of which we are just not aware, and I am very incensed about the entire situation.

I thank you.

Thank you, Mr. Chairman.

Chairman GIBBONS. Mr. Frenzel?

Mr. FRENZEL. I want to thank the witness for his testimony.

Earlier, the chairman asked the previous witness whether the denial of MFN would hurt or help the chances of relatives in Romania actually achieving their emigration. There is the feeling that the extension of MFN, the annual review, is helpful in some of these family unification and emigration cases, and the witness indicated that, well, all things considered, he thought it was better to repeal MFN or to let it expire and see if that would put pressure on the Government to release more people.

My judgment would be otherwise, and I would be interested in knowing whether you would like to comment on the effectiveness of the MFN and its view as a means of stimulating emigration, and what the effect would be if we were to cut it off?

Mr. ROSENTHAL. In responding to that, I would emphasize that this is just my personal opinion, based upon my own experience. If we were to deny the prolongation of MFN it would constitute a very great economic blow to the Romanian economy, which is undergoing tremendous strains at this moment.

They are in default with respect to the repayment of their external debt, and they are now trying to restructure that debt. It would also mean that there would be a lack of availability of export/import credits with respect to business that they would hope to achieve in the future.

I think the result of that denial would be a hardening of attitudes on their part, because the plans which they have constructed over a long period of time would be aborted, and I think one of the inevitable things that people in that sort of a situation would think of would be of retribution, and the easiest is to just shut down the procedure relating to emigration, since that would, in their minds, be the very cause of the problem which they have. That is my own belief.

For example, in the Russian situation, when they were striving to achieve MFN in the late seventies, and they were unable to do so, the stream of emigration declined materially there, and has never been restored.

I think if there had been, and I am not trying to place myself in a position of expressing an opinion on that subject at that time if MFN had been granted to the Soviet Union, the stream of emigration would have increased dramatically beyond the previous record.

Now, if we are thinking in terms of the individuals who would like to come out, that certainly is a consideration which we should not lose sight of.

Chairman GIBBONS. Thank you.

Are there further questions?

Mr. BAILEY. Mr. Chairman?

Chairman GIBBONS. Mr. Bailey.

Mr. BAILEY. First of all, I would like to very closely associate myself with the remarks that the Chairman made, and that Mr. Schulze made. I wonder if the time has not come to be more firm.

How long do we have to wait? How long does it take?

It is not post-World War II.

Maybe the experience that Mr. Schulze has explained to us here today says that they very well understand this system, and that there is a clear understanding of what signing a Helsinki accord is all about.

Maybe they have to start learning that we are talking about laws being superior to the judgments of men. We have our Abscams and Watergates, and we get rid of the people who misbehave. They know damn well that is the case. That is why they tried to reach Mr. Shulze the way they did.

There is a revolution in American opinion; the whole country is waking up to what trade means. Our world is growing, as people at last perceive a relative slackening of American power, and a more competitive world out there militarily and economically. There is a complete reevaluation going on of trade, political status, et cetera.

Let's say we sit down and say no, unless certain conditions are met. If we can't do that publicly and save face then do that privately. What happens? Will Romania go running back to the Soviet orbit? Let's not just look at those individuals and help them. How important is this trade to them? How dependent are they now?

What makes me so angry is they use this family as an example. Maybe we should use them as an example of American policy, or it is one case after another. I have only been down here 4 years, but I have been doing it since I have been here. I have had the same thing with Asian, some Vietnamese refugees. What do they do if we say no, in your opinion?

What effect does it have on this country? How much is it worth to them?

Mr. ROSENTHAL. I think it is highly important to them to retain MFN status here. I think it is important materially and symbolically.

I think there is nothing wrong with a constant dialog on this question between our administration and theirs. We must make evident the concerns that are felt by Congress on these subjects.

Now, as an American businessman dealing with these people, I have no right to intrude in the foreign affairs area, but I have never abandoned my own beliefs as an American citizen, when I travel abroad, and I have told them that MFN is highly dependent upon their adherence to acceptable standards in these areas, and that if they fail to abide by that, they risk the loss of it.

Mr. BAILEY. I think we are reaching a point in American public opinion where the pragmatic curve is starting to cross with the idealistic curve. We are starting to reach that point, and I think the better part of pragmatism is beginning to dictate that this country start to live up to what she stands for. They have been around a long time, and it is just not fair. They know what the rules of the game are. They know what they are, and we just keep frittering away year after year.

Now, sometimes you have to. I understand that internal pressures, that you have to be sensitive to the effect you have on international political pressures, et cetera, in different countries. Maybe we ought to put our foot down. That is all.

I don't know for sure, but I think you ought to think about that. You get so used to doing business that sometimes we accept the other fellow's frame of reference.

Mr. ROSENTHAL. I assure you, Congressman, that has never been my problem.

Mr. BAILEY. I am sure it has not. Well, I just think that we ought to——

Mr. ROSENTHAL. I would like to add, if I believe these statistics that they gave me, statistically their record is not bad.

Mr. BAILEY. Look, the issue is not statistics. The issue is the relationship between the law and the recourse that any individual, regardless of status, personal situation, has to the use of the law.

Over time, statistics do mean something; perhaps in the past. They signed the paper. They signed the Helsinki accords. They gave lipservice to it. We did not force it upon them. They agreed. That makes the situation different, and it makes it very, very different.

Largely, it is different because we are in an economic and political situation to do something with it. I think it is a nice country, excessively authoritative, but they have been making progress in that regard; that is very true.

They ought to sit back and let us scream and shout and do something about it. They can say back home, my gosh, we were forced, and let us win with the issue. I think we ought to do them a favor because I am sure in their hearts, they would rather have it our way. I would like to think that.

Thank you, Mr. Chairman.

Chairman GIBBONS. The Chair can understand the emotions that run in the hearts of everyone here, but House rules prohibit demonstrations within the committee room, and I earnestly request all members, all visitors, to abide by that. We do it not to suppress your approval or suppress anything else, but in order to try to keep a reasonable decorum so we can make deliberate decisions and not be swayed by deep feelings that we have.

Thank you very much.

All right. Our next witness is one of our colleagues, Mr. Robert K. Dornan, a Member of Congress from California.

We welcome you here.

STATEMENT OF HON. ROBERT K. DORNAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. DORNAN. Thank you. Good to be with you this morning.

This morning, I will introduce a resolution disapproving the renewal of Romania's most-favored-nation status. I am concerned that some of my colleagues may be misled by the seeming improvement in Romania's exit visa approval rate since March.

I urge members to take a hard look at this so-called improvement—I do not believe that Romania has promoted the objectives of section 402 of the Trade Act of 1974.

The record shows that Romania has continued its campaigns of persecution of religious groups, especially Jews and evangelical Christians, of minorities, particularly its Hungarian population, and, in fact, of anyone at all who tries to escape Romanian Communist totalitarianism.

Information collected by the Helsinki Commission, private organizations such as Amnesty International, and, above all, Radio Free Europe, demonstrates beyond doubt the seriousness of a situation underestimated in Washington. From these sources comes word of increased harassment of Baptists, Pentecostals, and other Christians, and of the exclusions of the faithful from educational institutes and jobs.

Under the rule of Romania's current dictator, that nation's minority population, including 2½ million Hungarians, has been the target of an aggressive campaign of forceful assimilation.

Romania's emigration policy is most harshly prejudiced against Jews who try to emigrate to the United States or to Israel. About 1,400 Jews are currently registered with the Romanian Federation of Jewish Communities as would-be emigrants. Of the 1,400, 94 cases represent individuals whose emigration applications have been pending since 1980 or before, and 163 involved persons who have had emigration approval since that time, but who still have not been able to leave for Israel.

Since 1975, the levels of Romanian emigration to Israel have declined, and there has been a continuing backlog of unresolved cases. Acknowledging Romania's special prejudice against would-be Jewish emigrants, President Reagan has stated emphatically that there must be a "significant" increase in the "rate of Jewish emigration to Israel."

The improvement in the visa approval rate over the past 3 months does not represent a major change in that government's policies. There are other reasons—if, Mr. Chairman, you will allow me to be skeptical in the face of a long-standing human rights violation—for this increase.

Some have suggested that the number of emigration approvals granted to Romanian Jews always increases substantially in the months preceding the annual MFN status review. Others insist that there is a link between the recent increase in emigration visa approval, and Romania's deep concerns over its large external debt, half of which matures this year.

Yearly renewal of Romania's MFN status, always with the condition that Romania take a more humane approach to Jewish emigration, has brought about no change.

Before 1975, Jews left Romania at the rate of 4,000 a year, 972 left Romania in 1981. I take this to mean that since 1975, 3,000 Jews a year are either denied permission to emigrate, or are unwilling to even apply, for fear of their jobs and the welfare of their families.

In 1979, Romania entered into a so-called gentleman's agreement with American Jewish leaders, promising to ease its restrictive emigration policy. They have ignored this promise.

I appeal to the distinguished chairman of this subcommittee, the distinguished gentleman from Florida, Mr. Gibbons, and his distinguished colleagues on this subcommittee, to support my resolution and to oppose renewal of Romania's MFN status.

You will be joining a nationwide protest, that includes the State Legislatures of Kentucky and Georgia, against race and religious-based prejudice. It would be too time consuming to name all those in Congress, and on congressional staffs, who have worked for the victims of Romanian policies. I single out only one of my distinguished colleagues from Pennsylvania, Mr. Richard Schulze, and his dedicated staff.

I realize that in past years the President and Congress have felt that extension of this status was the best means to their humanitarian end. But, again, yearly renewal since 1975 has brought little improvement.

I want to repeat the statistic: Romanian Jewish emigration to Israel has dropped from an annual rate of 4,000 prior to 1975 to the current 1981 level of 972. We simply must demand of Romania that it clarify, simplify, and humanize the process by which Romanian Jews obtain exit visas; that they end their harassment of the Hungarian and other minorities, and of religious groups. Ending Romania's MFN privileges would show the teeth behind the lipservice this Congress too often pays to human rights.

I have also the figures for the record.

Chairman GIBBONS. Certainly.

[The following was subsequently received:]

EMIGRATION STATS SUPPLIED BY ROMANIA

ROMANIAN EMIGRATION

Romanian Embassy statistics

1980: 2,800 persons obtained approval frm. Romanian Government to emigrate to the United States; 1,141 persons approved to emigrate to Israel.

1981: 2,501 approved to emigrate to United States; 1,102 approved to emigrate to Israel.

MONTHLY APPROVAL FOR 1ST 6 MONTHS OF 1982

	Approvals to United States	Approvals to Israel
January	234	45
February	292	148
March	269	118
April	353	183
May	201	127
June	302	291
Average monthly rate	275	152

Note.—The Embassy informed me that these statistics may differ from others because not all people who emigrate obtain approval, and there are time lags between approval and departure.

State Department statistics (visas issued)

1981: 2,352 Romanian immigrants to United States; 1,012 Romanian immigrants to Israel; and 8,619 Romanian immigrants to Federal Republic of Germany.

January to May of 1982: 1,904 immigrants to United States; 296 visas issued to Israel; and 3,617 immigrants to Germany.

Note: The number of approvals by the Romanian Government is significantly higher than usual in the first six months of 1982. In fact, the approvals are coming in faster than the State Department can process them. State Department has a limit on the number of Romanians that can enter the U.S. State Department Contact—Todd Becker 632-3298; referred by Mike Miller with Congressman Schulze.

ROMANIAN JEWISH EMIGRATION, JUNE 1981 TO JUNE 1982

[Israeli figures]

	Passports approved	Arrivals in Israel [1]
1981:		
June	178	47
July	118	56
August	77	86
September	72	156
October	153	85
November	113	112
December	27	148
1982:		
January	56	31
February	58	64
March	142	65
April	116	81
May	207	51
June	[2] 222	128

[1] During 1981, 159 persons went to countries other than Israel.

[2] The Romanian Government reports that 291 passports were issued for the month.

Note.—The 1981 total is 1,132 passports approved, 973 arrivals in Israel.

Source: Figures are from the Conference of Presidents of Major American Jewish Organizations.

JEWISH EMIGRATION FROM ROMANIA, 1979–81

	1979		1980		1981	
	Passports approved	Arrivals in Israel	Passports approved	Arrivals in Israel	Passports approved	Arrivals in Israel
January	78	19	89	61	21	50
February	70	47	89	52	49	71
March	60	55	111	87	91	47
April	55	61	97	74	28	59
May	65	61	138	90	105	56

JEWISH EMIGRATION FROM ROMANIA, 1979–81—Continued

	1979		1980		1981	
	Passports approved	Arrivals in Israel	Passports approved	Arrivals in Israel	Passports approved	Arrivals in Israel
June	90	60	87	61	178	47
July	267	58	173	126	118	56
August	125	74	76	97	77	86
September	89	123	81	128	72	156
October	103	134	118	105	153	85
November	113	160	65	73	113	112
December	77	119	41	92	27	148
Total	1,182	991	1,165	1,043	1,132	[1] 973

[1] 1,042 left for Israel in 1981, but 69 "dropped out".

Source: Statistics are from the Conference of Presidents of Major American Jewish Organizations.

Jewish emigration from Romania (arrivals in Israel)

	Number
1974	3,729
1975	2,372
1976	1,982
1977	1,347
1978	1,141

Source: Statistics are from the Conference of Presidents of Major American Jewish Organizations.

Mr. **Dornan**. These are statistics from the Romanian Embassy, particularly this year, January, February, March, and April. Knowing that this was coming up, the figures have jumped significantly on approval from Israel, from May to June, 197 to 291. Approvals to the United States from May to June jumped from 201 to 302.

That is the end of my testimony, Mr. Chairman.

[A copy of Mr. Dornan's resolution follows:]

[H. Res. —, 97th Cong., 2d Sess.]

RESOLUTION Disapproving the President's recommendation to extend certain waiver authority under the Trade Act of 1974 with respect to Romania.

Resolved, That the House of Representatives does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 2, 1982, with respect to the Socialist Republic of Romania.

Chairman **Gibbons**. Of course, we will consider your resolution when it arrives.

Earlier, I said that my patience in this matter has been stretched much further than I usually allow my patience to be stretched.

I am, though, still worried in my own mind about what will happen to the people who still remain in Romania, those who have applied, and those who want to apply, if we go ahead and remove this status. I don't believe any of us can reach into the minds of the Romanian officials and see their reasoning. I certainly can't.

If that person did not want to stay there, I would think it would be in my own self-interest to let them go. I don't know why it is not in the Romanian self-interest to let them go, so I don't understand the mindset of the authorities in Romania in this whole operation.

I am wondering whether, if we act to withdraw MFN status as we can, we would not seal the fate of other innocent people seeking to escape. Would we not throw into the heart and the minds of someone that I don't understand the last straw that might effect changes, or make the repression even more burdensome?

I have witnessed through my own eyes how burdensome dictators can be when they begin to stonewall a situation, and I have a serious doubt in my mind as to which way we should go.

My patience is at an end.

Would you like to observe upon the observations that I have just made?

Mr. DORNAN. Yes, Mr. Chairman. I think they are well taken, and it always seems that with human rights we are boxed into a corner where we have a Hobson's choice.

If we continue with the status quo, then the people suffer, Christians and Jews are persecuted.

If we move into a new area and begin to put the clamps on some of our trade, then we wonder if we are not endangering even greater numbers of people.

We have tried for a long period now the most-favored-nation trade status. Obviously, Romania wants Western trade and their brand of socialism is an abject failure for supplying some of the consumer goods that they need. The Soviet Union has the very same problem as Romania, magnified a thousandfold, and it seems that in light of an erratic policy of talking big but never following through, the Communist forces in the world sense a weakness and say, we go through a ritual here in the Congress every year, but it does not mean anything. Once you get that most-favored-nation status, you are going to keep it.

Churchill called it a puzzle wrapped in an enigma, a paradox of the Communist minds that want to forever play with people's lives in this way.

You have to use your best judgment and see what happens.

I think they sense in the leadership of Romania a dead-earnestness with the American Congress now, and, if nothing else, we certainly have their attention. I visited Romania in 1970 in the dead of winter, and I remember driving over the main square there in the city and learning years later that there was a complex of secret police cells under the main city square itself, and that at the very moment when President Nixon was driving over that city square, they were torturing political prisoners a few feet below the tires of that government entourage of limousines.

Romania has always had one of the most severe domestic policies of vicious political oppression while creating this external face of a foreign policy that was far different from their Soviet masters, and I think that the charade with Romania is over; that they must be called to task for these vicious domestic policies that they have never deviated from, going all the way back to the Communist takeover after World War II.

Chairman GIBBONS. Do members have questions?

Mr. BAILEY. I would like to thank the gentleman who has joined me a number of times on the floor and we obviously have at heart the same issues. I would also like to thank the chairman. I think the way he framed the issue is very reasonable. I hope this will send a message to whoever is listening here officially on behalf of the Romanian Government, that there is a problem here, that they had better start paying attention to it.

Mr. **Dornan**. There is this infamous case of the young people who were doing nothing more than distributing Bibles in that country and I think all received 6-year sentences. It is hard for Americans to understand how a nation can be considered as most favored in anything when they send people to jail for 6 years for distributing the word of the Prince of Peace.

Thank you, Mr. Chairman.

Chairman **Gibbons**. Mr. Schulze?

Mr. **Schulze**. I would like to congratulate him on the action you are going to take today. I have had continuing discussions with the Romanian Government over specific cases which have not been resolved over the past several years and have discussed these situations with the Foreign Minister Andrei and quite frankly, I don't want to hear reasons and excuses, because I really wanted results which have not been forthcoming, as well as the case I stated a few minutes ago.

I would ask that the gentleman, if he would, add my name as a cosponsor to that resolution before he introduces it and I congratulate him for the action and wish him every success.

Mr. **Dornan**. I would be honored to add your name. I know that you for years have put in resolutions like this yourself, and I think it is now past the point of getting their attention. We have their attention. I think we are going to have to take some stern action or our human rights policy will be very hollow in this country.

Chairman **Gibbons**. Mr. Frenzel.

Mr. **Frenzel**. Thank you for your testimony, Bob. You indicated that the people were imprisoned for doing nothing more than distributing Bibles. I understand there was more to that case. You know there were apparently some currency violations having to do with transshipments to other countries.

Is it a fact that it was nothing more than distributing Bibles?

Mr. **Dornan**. In a police state it is very difficult to analyze what the truth is, when the facts are only coming from the arresting authorities. There may have been more to it because in a country that totally controls society like Romania, sometimes currency comes in with the Government looking the other direction, so that that currency can be used to buy the freedom of people who want to emigrate to Israel or the United States or any other free country.

We know of the continuing scandal in Southeast Asia of the government which was cash poor, literally raping its citizens of every ounce of gold, so they could buy their way out only to die on the high seas or rot in refugee camps. Although every nation in the Communist world has different levels of cynicism in this area of people trying to get out to live a free life, I would be surprised if there were not some currency violations technically, but I would also be surprised if the Government of Romania isn't exaggerating those violations to make their own case.

Of course, they are embarrassed in front of the whole world if the word gets out that people are being sent to prison only for distributing Bibles. If you merely have a textbook to teach a language of history and current language of the world today, Hebrew, you can go to prison in the Soviet Union for merely teaching the language of Hebrew.

Mr. **Bailey**. I really do believe what you outlined is accurate. We have violations which have been greatly exaggerated, if they are true at all, to act as a cover. I have been working for 4 years a Pentecostal group, in the Ukraine. They want to get out as a group. That group has suffered exactly the same type of harrassment. What really happens is, of course, things are exaggerated in order to provide a cover of legitimacy for the Government action. The reasons are quite different, however.

Mr. **Dornan**. The one case in the Soviet Union that comes to my mind, a handsome young athlete literally hitchhiked from a Siberian village on the east coast of the Eurasian land mass all the way across the Soviet Union through 11 time zones to meet with the distinguished chairman of this House and myself in the lobby of a hotel in Moscow.

He had five children. He was as handsome as anybody would ever want to put on a Soviet tourist poster, and you would expect to see him competing in the decathlon, and when I asked him if he thought he was going to be punished for coming all this way and meeting openly with American Congressmen, he said, "You do some very difficult and unusual things in the name of freedom." He also said it is very hard for you people in a free country to understand the lengths to which a person will go to be able to practice his/her religion and this young hero Russian citizen, I have never forgotten; and it is the same with some of the people that I met in Romania. The court of last resort is here in the United States, and our main power is in the success of capitalism, those goods that we produce that the Communist countries are interested in trading with us to secure.

Chairman **Gibbons**. Thank you. If there is any more showing of emotions, the room will be cleared.

I have tried to say it is against the rules of the House against audience demonstrations, and if there are any more, I will enforce the rule.

Our next witness, Mr. Tom Lantos, a distinguished Member of Congress from California.

I see in the room your wife Annette, and I wonder if she would be interested in accompanying you to the table.

STATEMENT OF HON. TOM LANTOS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. **Lantos**. I am always happy to have my wife Annette's help, Mr. Chairman.

I deeply appreciate the opportunity to appear before you and testify on this most crucial matter.

There are really three topics I would like to talk about; one, an episodic observation; second, relating to immigration from Romania; and a third relating to the continuing suppression of the Hungarian minority in Transylvania.

A few weeks ago I came back from one of my visits to California to find seven men, members of the Pentecostal Church in Romania, protesting outside the Cannon Office Building threatening to self-immolate.

I talked to them at some length. Ironically, the same day I had a longstanding visit scheduled by the Romanian parliament in my office.

I assured the men who were protesting the fact that their families were not allowed to leave Romania, that I would accompany them to see the Romanian Ambassador, who I had not met, and would impress upon the Ambassador the importance of allowing the protestors families to join them here in the United States.

That afternoon I went to the Romanian Embassy, met with Ambassador Malitza and after a lengthy discussion, he pledged to me that the members of the families of the seven men will be allowed to leave Romania. Since that time the protestors have received official confirmation that they will be reunited in the United States. For this action I want to commend the Ambassador. I relay this story because it indicates that if enough pressure is brought to bear in specific instances, something does happen.

Unfortunately, the psychological pressures and the procedural obstacles used in Romania against those who wish to emigrate will prevent hundreds of other individuals in the United States from realizing the same happy ending experienced by the seven families that I just mentioned.

I believe the Romanians will have to give assurances that harassment of applicants will have to cease, the procedures will have to be simplified; and that there will have to be an acceleration in the process of reuniting families.

I concur with my friend from California, Congressman Dornan. The precipitous drop of Romanian emigration to Israel from an annual rate of between 3,000 to 4,000 in the years before the 1975 grant of most-favored-nation trade status to Romania, to barely 1,000 in recent years, must also be questioned and resolved. This is an unacceptable level, and I am determined to see to it that it will be increased.

The religious persecution of Romanian Christians, including the prevention of emigration, their arrests and incarcerations, and the closing of churches cannot be overlooked. The general harassment of Christians and the restrictions on circulation of religious literature are unacceptable practices which should not be tolerated.

Nor can we feign blindness at the educational and cultural deprivation suffered by the Hungarian minority in Romania. The huge reduction of educational facilities for Hungarians at all student levels, the decline in the numbers of teachers and students and the total elimination of Hungarian professional associations forces us to recognize these gross inequities.

I had a lengthy automobile journey through Transylvania a few years ago, and I had an opportunity to talk to large numbers of Hungarians of all social classes. I wish to confirm to you from personal firsthand experience that the cultural suppression of the Hungarian minority is a reality in Romania which must come to an end.

I would like to see United States-Romanian relations prosper. MFN trade status is a link between our countries which should not be severed. Therefore, I call upon Romania to strengthen this link by initiating a more responsive emigration policy, as well as a stronger commitment to human rights.

I recommend that MFN status for Romania be renewed; but only after concrete assurances of real progress in the areas of emigration and basic human rights are given.

It is particularly for this last reason that I recommend that MFN status for Romania be renewed for 1 year after receiving concrete and significant assurances of significant progress in the areas of emigration and basic human rights by the Romanian Government.

[The prepared statement follows:]

STATEMENT OF HON. TOM LANTOS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman, thank you for giving me an opportunity to testify on this crucial issue.

I would like to begin my testimony by describing my recent interaction with His Excellency Mircea Malitza, Romania's new Ambassador to the United States. Last month, seven men, members of the Pentecostal Church in Romania, were protesting outside of the Cannon Building and threatened to immolate themselves if assistance was not given to their families who were forbidden to emigrate to the United States by the Romanian government. After talking with these individuals and, subsequently, the members of the Romanian Parliament, I escorted the protesters to the Romanian Embassy. Ambassador Malitza welcomed me, and after our discussion, he assured these Romanians that they would be reunited with their families. The Ambassador made a good faith agreement which he honored. All seven men have received official confirmation that they will soon be reunited with their loved ones. I commend and thank the new Ambassador for his actions in these cases. I am relaying this story to show that cooperation between our two nations is still possible.

Unfortunately, the psychological pressures and procedural obstacles used in Romania against those who wish to emigrate will prevent hundreds of other individuals in our country from realizing the same happy ending experienced by the seven families I mentioned earlier. Assurance must be given by the Romanians that there will be no further harassment of applicants seeking to emigrate, that their procedures will be simplified, and that there will be an accelerated reunion of families.

The precipitous drop of Romanian emigration to Israel from an annual rate of between 3,000 to 4,000 in the years before the 1975 grant of Most Favored Nation trade status to Romania, to barely 1,000 in recent years, must also be questioned and resolved.

The religious persecution of Romanian Christians, including the prevention of emigration, their arrests and incarcerations, and the closing of churches cannot be overlooked. The general harassment of Christians and the restrictions of circulation of religious literature are unacceptable practices which should not be tolerated.

Nor can we feign blindness at the educational and cultural deprivation suffered by the Hungarian minority in Romania. The huge reduction of educational facilities in Hungarian at all student levels, the decline in the numbers of teachers and students and the total elimination of Hungarian professional associations forces us to recognize these gross inequities.

I want to see United States—Romanian relations prosper. MFN trade status is a link between our countries which should not be severed. Therefore, I call upon Romania to strengthen this link by initiating a more responsive emigration policy, as well as a stronger commitment to human rights.

I recommend that MFN status for Romania be renewed; but only after concrete assurances of real progress in the areas of emigration and basic human rights are given.

Chairman GIBBONS. Mr. Lantos, because I know you and respect you, and I realize that you and your wife know more about this subject than any of us will ever know, I am going to give heavy weight to the testimony that you have given.

I have said earlier at this hearing before I heard you and before I heard some of the other witnesses who appeared here this morning, that I am torn in that my patience is running out.

I really was never a great believer in the Vanik-Jackson amendment. I didn't think it would create anything other than chaos and perhaps even make the situation worse. I watched three Presidents and we had their representatives come forth and recommend that we extend the MFN to Romania.

The Chinese have offered to give us all the Chinese we want and even more. The Hungarians do not appear to have restricted their emigration. The Romanians have been a constant thorn in the side of this committee. We will soon be faced with having a tough decision.

Shall we honor the recommendation of the President and allow this to go on, or shall we vote no and cut it off for 1 year?

I frankly don't know what to do. I am very dissatisfied with the response that I have seen from the Romanian Government, not their verbal response, their statistics. It is a whole attitude that I don't understand how any country would want to keep people within their borders that obviously do not want to be there, why they would continue such an unproductive process of trying to coerce people to do things that they don't want to do. I am at a dilemma; but I know that you would not make the recommendation that you have made without deep consideration and a deep insight that perhaps I will never be able to obtain. I appreciate you coming here and telling us what you think ought to be done.

Mr. LANTOS. Mr. Chairman, It is a very close call on my part also. It is not an easy decision to come to. Human rights violations have been persistent in Romania and one of the reasons I suspect for continuing another year is to preserve leverage, is to indicate that perhaps this may be the last year for Congress to go along with an extension of MFN status for Romania, and I must say that I fully concur with most of the observations of my friends Bob Dornan from California, but I do believe under certain circumstances, denial of this status is likely to integrate the Romanian economy even more closely to the Soviet economy.

I do not view that to be in the American national interest, and I presume that is the principal reason why I am in a position to support the President's recommendation. I don't always agree with the President.

Chairman GIBBONS. I have noticed that.

Mr. LANTOS. Several others have, Mr. Chairman, but I believe in this instance, President Reagan, holding his nose as I do, is recommending a 1-year extension, and that is all I believe that both he and I are saying. We are profoundly disturbed by human rights violations and the restriction of emigration, and we, at least speaking for myself, I have personally experienced a favorable episode just within the last few weeks, and I think with the weight of the testimony before your distinguished committee, the Romanian Government ought to get the message that patience is running out.

For some of my colleagues, it has already run out. I am prepared to let my patience run for 1 more year and if conditions do not improve, I expect to be testifying before your committee calling for a termination for MFN status for Romania.

Chairman GIBBONS. Mr. Schulze.

Mr. SCHULZE. Welcome to the committee. Two years ago, the staff went over to Romania, we had expressed, I among others, concern over the reports of persecution of the Hungarian minority in Transylvania, and as a result of that trip, they wrote a report. Have you read that report?

Mr. LANTOS. Yes, I have.

Mr. SCHULZE. From your firsthand visit and your trip motoring through the area, it seems to me in that report there were a lot of rationalizations of some of the steps taken. Do you agree with them, or what is your conclusion about the degree of persecution of the Hungarian minority in Transylvania?

Mr. LANTOS. I don't think there is any question but that there is both cultural persecution, professional persecution, linguistic persecution, discrimination of all kinds, and this is one of the reasons why I feel it is so important for them to understand that the patience of Congress is running out.

Mr. SCHULZE. Is this type of persecution going on in other Eastern European nations, to your knowledge?

Mr. LANTOS. Well, there is no place, with the exception of the Soviet Union, where the ethnic problem would be as quantatively as in the case of Romania. Transylvania has a tradition going back 1,000 years. This is a major, dominant group historically in the area.

I am inclined to say, Mr. Chairman, members of the committee, that in many ways, Transylvania within the Hungarian context occupies something analogous to New England in the United States, or perhaps I should say the 13 colonies. I mean, this in many ways was the core and the finest and the most enduring segment of Hungarian society.

As a matter of fact, during the century and a half of Turkish occupation of what is Hungary, the central part of Hungary was under Turkish domination and the western part of Hungary was under Austrian control. But it was in Transylvania that the linguistic, political, ethnic flame was kept alive.

To see really the flower of Hungarian, of the essence of Hungary, discriminated against and put in an inferior position and gradually eliminated is very painful to anyone who has Hungarian blood flowing in his veins.

I simply cannot emphasize enough the system of the character of this cultural discrimination.

The only reason my recommendation is for a 1-year extension is to give the Romanian Government one final chance to mend its ways. It is a recommendation which I am making with a great deal of reluctance, not a bit of enthusiasm, and hoisting the flag of caution to the Romanian authorities that they best shape up.

Mr. SCHULZE. Did you find any signs of recognition of this type of discrimination in Hungary. Is there growing concern in Hungary over what is happening in Transylvania?

Mr. LANTOS. I believe there is.

Mr. BAILEY. I thank you for your comments. I yield to your superior expertise. I want to let you in on a conversation I had with the Romanian Ambassador. I don't know what he told you, but you know these things are not happening in Transylvania. I am sure that is his Government's official position. I even asked for some material from them and I got it in my office, their view, their policy toward Transylvania and the lack of oppression there and the fact that it is part of Romania, belongs to Romania and should, that type of thing.

I have a question which I hope you can help me with. I feel like the chairman here. I want to keep offering this carrot to make this a meaningful piece of law. I want to do that but where do you draw the line?

I have the same problem as the chairman. Where do you draw the line? I sit back and think, clearly what I want to do is say no. I want to say, you come in and lay it on the table for the world to see and then OK, maybe we can talk business.

That carrot approach, if it is going to be meaningful, maybe it is useful but 1 more year.

One of my brothers flew refugees out of Europe in 1956, Hungarian refugees, and I got to know a very good friend, an Australian fellow, who I guess helped form a lot of my opinion of what goes on in that area. What makes you so committed? I think we ought to get tough and demand some concrete things and I hope the administration would do this. I don't know how we as a Congress can do it effectively but I am inclined to say no, quite frankly.

What do you specifically expect to get done in a year?

Mr. **Lantos**. I find myself in overwhelming agreement with what you are saying.

In the first place, I am not that strong in making this recommendation. It is a very marginal recommendation on my part. Second, I believe that we do need to ask ourselves the question, what would the Soviet Union prefer us to do? There is no doubt in my mind that if the Kremlin had a vote on this distinguished committee, Mr. Brezhnev would vote to terminate MFN status for Romania.

That is a pretty weighty argument in my book, because you are dealing in this instance with a number of unpleasant alternatives. One of the alternatives clearly is to terminate MFN status. And if that is done, to what ever extent Romania has succeeded in carving out for itself some degree of independence in its international economic transactions, this will be curtailed.

The Romanian economy will be even more closely tied into the Eastern block. It will be even less independent of the Soviet Union, and I frankly believe that that is not in the American national interest, and I frankly believe that that must be at the core of the Reagan administration's recommendation to extend the status for 1 year.

Mr. **Bailey**. How about the approach that we suspend it for a year with the idea that our policies should mean something? If we just turn our head, Brezhnev wins either way. If we say no, at least we win maybe a symbolic victory with the option of doing something in the future.

The point is, we have got to fight and wake up in the United States of America and look at what is happening around the globe and begin to fight with reason, not weapons, with our tools to begin to stand for something and fight and I just hope that we find some way out of this to get something concrete for conferring what obviously is a benefit.

If we get shilly-shallied around for another year and wake up a year from now and go through the same arguments.

What you have put your finger on is obviously very commonsensical to me. I feel like the chairman does, I really don't know how to solve this.

Mr. LANTOS. I would be in a quandry, too. On balance, weakening the Soviet Union's hold over the Eastern European countries is an extremely weighty argument.

Mr. BAILEY. Let me ask the chairman, is there some possibility of approach where you suspend for a year? Is that a viable approach; say no for a year and it comes back on if conditions are met.

Chairman GIBBONS. The basic law on this subject says that either House can turn down the President's recommendation, and that suspends MFN until the President again recommends that it be extended.

Mr. BAILEY. Could I ask the chairman, not here of course, to explore some of those possibilities, perhaps?

Chairman GIBBONS. That is what the Chair is doing.

Mr. BAILEY. Well, I thank the gentleman.

Chairman GIBBONS. Thank you, Mr. Lantos.

Mr. Frenzel.

Mr. FRENZEL. Tom, I thank you for your thoughtful testimony. I will ask you the same question I asked previous witnesses.

Although you are troubled as some of our own witnesses have been in recommending that MFN be extended, you feel we have a better ability to get emigrants out who would like to emigrate, while MFN applies, than we would if we closed it off? We might have great difficulty stimulating emigration absent MFN. Is that correct?

Mr. LANTOS. I believe that is true with respect to Romania.

Mr. FRENZEL. Thank you, we appreciate very much your testimony.

Chairman GIBBONS. Thank you, Mr. Lantos.

We next have a panel composed of PepsiCo, Inc., Chilewich Corp., UOP, Inc.

Mr. Pagnucco for PepsiCo, I think.

STATEMENT OF ROBERT I. PAGNUCCO, VICE PRESIDENT, EASTERN EUROPEAN REGION, PEPSICO INTERNATIONAL

Mr. PAGNUCCO. Mr. Chairman, I have a short statement I would like to read.

Chairman GIBBONS. Go ahead.

Mr. PAGNUCCO. I would like to thank you and the members of the committee for allowing me to appear before you today.

My name is Robert I. Pagnucco. I am vice president, Eastern European Region of PepsiCo International. I am here today, on behalf of PepsiCo, Inc. and its division, PepsiCo International.

PepsiCo, Inc., is engaged in the sale of consumer products on a worldwide basis. In Eastern Europe, soft drinks constitute our major product. I am responsible for our company's operations in all Eastern European countries. In that capacity, I am quite familiar with all aspects of our business relationships and, in particular, international trade with the Socialist Republic of Romania and the Hungarian People's Republic.

On behalf of PepsiCo, Inc., I would like to express our strong support for the President's recommendation for extension of the waiver authority under section 402 of the 1974 Trade Act to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China.

Pepsi-Cola, our major product, constitutes the primary basis for our trade with both Romania and Hungary. We first introduced Pepsi-Cola into Eastern Europe in 1967 in Romania. In 1970, we introduced our product in Hungary. Since that time, our operations have expanded and Pepsi-Cola is currently bottled in numerous plants in both countries. Our company's trade with Romania and Hungary has proven to be a worthwhile opportunity for each country and PepsiCo.

Most recently, PepsiCo has begun trade and has introduced Pepsi-Cola in the People's Republic of China. It is our expectation that this new market will prove to be successful.

It is important to point out to this committee that the basis of our operation in these countries is a licensing arrangement. Both PepsiCo and the countries involved view this arrangement as a shared investment in working toward a stable economic future. As a result, our partnership with each country contributes to the economic growth of that country, and builds bridges for greater understanding. Because of this, we have developed a trade relationship with Romania, our oldest partner in Eastern Europe, on the grounds of confidence and respect for one another in the commercial arena.

In recent years, concerns have been raised regarding many Eastern European countries' economic stability and ability to meet their commitments. It has been PepsiCo's experience that both Romania and Hungary have been, and continue to be, stable and reliable partners. We recognize, however, that maintaining a most-favored-nation status is crucial to both the continuing economic stability and the future economic growth of these two countries.

To the extent that world economic conditions are depressed, international trade continues to be an important component of that stability and growth. Our trade agreements with Romania and Hungary have operated successfully over the years and have been a significant benefit to all parties involved.

We favor scrutinizing, on an annual basis, consideration of most-favored-nation status as an important element in insuring that U.S. business engaged in trade with Eastern Europe receive fair and equitable treatment in return for certain considerations extended to our trading partners under the MFN status. Upon careful consideration, PepsiCo believes such status should again be extended this year to the Socialist Republic of Romania, the Hungarian People's Republic, and Peoples' Republic of China.

In closing, I would like to make one additional observation. We, at PepsiCo, strongly believe in promoting sound economic development and establishing mutually agreeable trade relations. We find that these efforts maintain open lines of communication and dialogue with our Eastern European neighbors and are an extremely vital means of sustaining and furthering cultural and political understanding in today's changing world.

Mr. Chairman, I thank you for the opportunity to appear today. I will endeavor to answer any questions you may have.

Chairman GIBBONS. Thank you, sir. Now the gentleman from Chilewich, Mr. Beyer.

[The following letter was received:]

PepsiCo Wines and Spirits International

NORMAN HELLER
PRESIDENT

July 1, 1982

COMMITTEE ON
RECEIVED
JUL - 7 1982
WAYS AND MEANS

Mr. John J. Salmon
Chief Counsel
Committee on Ways and Means
U.S. House of Representatives
Room 1102
Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Salmon:

This letter is directed to you as Chief Counsel to the Committee on Ways and Means, and the pending hearings concerning the continuation of "Most Favored Nation status" for Romania.

We continue to support the President's request to extend waiver authorization to Romania. Our company, PepsiCo, Inc., through its various divisions has had a positive and cooperative trade relations with Romania for over a decade. I am writing to you as President of PepsiCo's wines and spirits division, as an international executive, and as a U.S. citizen, who, in his dealings with the various ministries and trade enterprises of Romania, has been impressed with their goodwill, sincerity, and cooperation in our joint commercial relationship. I also firmly believe that building bridges of trade is an important step in developing international understanding and peaceful relations throughout the world.

We introduced Romanian wines in the U.S. in October of 1976 and Pepsi-Cola has been sold in Romania since 1965. Our trade relationships are mutually beneficial. Our original target was to sell 12,000 cases of wine in the first year. In 1982, sales of Romanian wine under the trademark Premiat will be over 150,000 cases. One of the reasons for the success is that we have been able to provide the U.S. consumer with imported wines from this country of outstanding quality for a reasonable price. In turn, although the trade is not directly related and not done on a counter-purchase or barter basis, our Pepsi-Cola business in Romania has been significant and represents dollar purchases by Romania for Pepsi-Cola concentrate. Pepsi-Cola has become a very popular soft drink in Romania.

We feel strongly that the continuation of Most Favored Nation status for Romania is especially important this year in light of Romania's economic difficulties and our need to maintain peaceful trade relationships with Eastern European nations.

Respectfully yours,

Norman Heller
Norman Heller

NH/mh
cc: Donald J. Hasfurther

700 ANDERSON HILL ROAD PURCHASE N Y 10577   TELEPHONE 914 253 2078   CABLE ADDRESS PEPSI WINES PURCHASE NEW YORK STATE   TELEX 424546

STATEMENT OF JOHN C. BEYER, CONSULTANT, CHILEWICH CORP.

Mr. **Beyer**. Thank you, Mr. Chairman.

My name is John C. Beyer. I am an economic consultant and president of Robert R. Nathan Associates, Inc. My firm has represented the Chilewich Corp. in Washington for over 20 years. We have testified many times on behalf of the Chilewich Corp. of New York in favor of continuing most-favored-nation status for Romania, and are pleased for this opportunity to testify again in support of MFN status for Romania.

The Chilewich Corp. exports cattle hides, the raw material for leather. In 1981, the United States exported over 680,000 hides to Romania valued at approximately $22 million. Although the U.S. hide exports to Romania declined from 1980 figures, these exports nonetheless represent almost 5 percent of the overall U.S. exports of cattle hides. Furthermore, we estimate that approximately 600,000 hides valued at over $18 million were exported to Romania already in the first 6 months of this year.

On an annualized basis, cattle hide exports to Romania are running considerably above last year's exports. These exports constitute a significant contribution to the American cattle and beef industries by providing an outlet for a byproduct generated in excess of domestic demand. These additional revenues are important to American agriculture and to supporting industries.

In this past year, 1981, Romania has suffered from serious foreign exchange problems; its total foreign trade has declined, thus reflecting the turndown in the Romanian economy and in the economies of Romania's export markets; U.S. exports to Romania in 1980 amounted to $720 million, and in 1981, $504 million, due mainly to a decline in exports of U.S. agricultural products.

In contrast to a recently gloomy picture of Romanian foreign trade, total United States-Romanian trade has grown from $322 million in 1975 to more than $1 billion in 1981. As of the end of 1981, Romania was the United States second largest export market in Eastern Europe after Poland.

The prominence of Romania in the United States-Eastern European trading market was spurred by the signing of a United States-Romanian trade agreement in 1975, which accorded most-favored-nation tariff treatment to Romania and facilitated commercial exchanges. Although there has been a series of other economic agreements and protocols with Romania over the past decade, MFN status for Romania has been a critical ingredient in the United States-Romanian trade picture.

It would certainly be in the best interests of the United States to maintain an open and mutually beneficial commercial relationship with Romania. The Romanian Government has recently targeted national priorities for the next decade. Coal is one of the targeted areas, and the United States is in a strong market position to increase its sales to Romania. Continued export trade with Romania in areas such as grains, feeds, coal, chemicals, hides, and manufactured items such as tires and automated office machines translates into increased production for the United States and more jobs for Americans.

We support the development of Romania as a strong and independent trading partner. American business in general, and the business of the Chilewich Corp. specifically, has benefited substantially since the important decision was taken in 1975 toward bringing Romania more fully into the world trading community. U.S. business stands to continue to benefit if MFN status for Romania is extended.

Many countries in the world, not just Eastern European nations, have suffered economic reverses due in large part to increasing energy costs. Given this pervasive problem, in an increasingly interdependent world, we must be ever more careful not to cut back on our trading ties. Rather, we should expand and otherwise strengthen them; U.S. trade with Romania augments political interests between our two countries and provides encouragement to Romania in strengthening and, importantly, broadening its international trading position.

I therefore urge, Mr. Chairman, on behalf of the Chilewich Corp. and myself, that you and your committee approve President Reagan's recommendation to extend most-favored-nation treatment to Romania. I firmly believe this position is in our Nation's best interests.

Thank you.

Chairman GIBBONS. Mr. Baboyian.

STATEMENT OF H. K. BABOYIAN, VICE PRESIDENT, UOP INC.

Mr. BABOYIAN. Thank you, Mr. Chairman.

I am H. K. Baboyian, vice president of UOP Inc. I am pleased to have this opportunity to appear before this subcommittee to support President Reagan's recommendation that an extension of the waiver authority for the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China, be granted under section 402 of the Trade Act of 1974.

UOP is engaged in the development of energy technologies, construction, engineering services, and manufactured products on a worldwide basis. We have done business in Romania for almost half a century and we are convinced that the results for our firm and Romania have been mutually beneficial. Our business relationship with the People's Republic of China began shortly after the signing of the Shanghai Communique and has been excellent for both parties. Our interests in Hungary have also been longstanding and of mutual benefit.

Romania has significantly adapted its foreign trade relations to Western business conditions. As a result, U.S. companies have increased their share of Romanian trade done with the West, especially since 1975 when Romania first achieved most-favored-nation status.

In 1981, the United States remained Romania's third largest trading partner with a combined turnover of $1.06 billion—up slightly from 1980, in spite of a depressed world economy.

Romania has made great strides to open new trade relationships not only with the United States and other Western countries, but also with lesser developed countries, some of it in cooperation with U.S. companies, such as UOP. Denial of most-favored-nation status to Romania could damage Romania's trade credibility at a time when it is making great efforts at repaying its foreign debts and restructuring its economy. In essence, MFN status is an important favorable political and economic goodwill rating that we believe Romania needs.

With respect to our trade with the People's Republic of China and Hungary, here improvements in trade have been steady. United States-China completes its current reorientation toward Western trade practices.

Most-favored-nation status would not, as the term implies, extend any special treatment to these countries. It would merely continue to recognize them as good trading partners—partners dealing in good faith, both in terms of their adherence to international agreements and nondiscrimination against U.S. goods and services, and as partners that exercise international competitive practices that we in the private business world value as a true measure of free trade.

UOP Inc. believes that continued most-favored-nation status will further strengthen and facilitate business between the Socialist Republic of Romania, the Hungarian People's Republic, the People's Republic of China, and the United States. Therefore, we support President Reagan's recommendation for a further extension of the authority under the Trade Act of 1974, to waive the freedom of emigration requirements under section 402, and for continuation of the waivers applicable to these countries.

Continued most-favored-nation status for these countries is an important, symbolic, and practical decision to show these nations that they have their place among our valued trading partners, as well as a bold sign to the world that the United States is willing to register such friendship publicly.

Chairman GIBBONS. Well, my observations are directed at all three of you. In the 7 years since we have had most-favored-nation status for Romania, I have never seen it on thinner ice than it is now. I am not sure what the outcome is going to be this year.

At this point, the Chair will recess the meeting until 2. Mr. Fascell's statement will appear at the beginning of the record today. The meeting is recessed until 2.

[Whereupon, at 12:05 p.m., the subcommittee recessed, to reconvene at 2 p.m., the same day.]

AFTERNOON SESSION

Chairman GIBBONS. Ladies and gentlemen, we will resume.

We next have a panel of witnesses from BNI International, the Committee for Human Rights in Romania, and John Crossley, director of Eastwatch International.

Will those people please come forward?

All right. Mr. Hámos?

STATEMENT OF LÁSZLÓ HÁMOS, CHAIRMAN, COMMITTEE FOR HUMAN RIGHTS IN ROMANIA

Mr. HÁMOS. Mr. Chairman, this is the 7th year in which I am appearing before the subcommittee as a witness at these hearings. It is the 7th year in which the Committee for Human Rights in Romania, the organization I represent, is submitting a detailed, written statement, documenting the Romanian Government's systematic efforts to denationalize and forcibly assimilate the 2.5 million Hungarian and sizable other minority inhabitants of that country.

After all these years, Mr. Chairman, this event has taken on a certain air of familiarity for many of its regular participants. The same faces appear, the same issues are raised, the same violations are protested, the same arguments are made, the same naive expressions of goodwill are voiced toward the Ceausescu regime and, predictably, the results for human rights are also the same results: Zero.

After some solemn pronouncements that this time will seriously be the absolutely last occasion on which Romania's MFN status is renewed without improvement in that government's dismal human rights record, we all go home, and the Romanian Government's view that it does not have to take the entire charade very seriously is again reinforced.

The reasons for this apparent institutional impotence are not difficult to discern: reluctance to take concrete action out of a misguided fear of the consequences; pity, perhaps, for a country and a people who are less fortunate than us; and a seeming ignorance as to the inner mechanisms of a Communist dictatorship.

In an earlier testimony, I described a sense of the unreal, which pervades these hearings. Characteristic of the quality of some of the witnesses who appear here, let me note that last night, shortly after 8 p.m., I happened to pass the Romanian Embassy in my car, and I noticed a group of people leaving the Embassy.

Included in the group, I recognized none other than two of the illustrious witnesses who testified yesterday, Dr. Emanuel Merdinger, and Ms. Ildiko Trien, smiling and chatting with the satisfaction of a job well done. One of those witnesses, you may recall, even suggested that Ceausescu be awarded the Nobel Peace Prize.

Let me cite another example of this air of unreality. Listening to the proceedings yesterday and today, one senses a general presupposition that in dealing with the Romanian Government, we are dealing with equals—in fact, a mirror image of our own Government—a rational government, represented by sensible gentlemen at every level.

This assumption is wrong, Mr. Chairman, and it may account for a great deal of the futility of our Government's efforts to date. Romania is not governed by a responsible political order, but ruled in the style of a medieval, Byzantine court. The officials who run the country, some of whom you may encounter, Mr. Chairman, are not reasonable gentlemen, but party hacks, whose only means of advancement consist of ruthless backstabbing, bootlicking, and lying.

In the tradition of Byzantine courts, Emperor Ceausescu fires and reshuffles entire sets of his courtiers at whim, just to keep them insecure, to remind them who is supreme leader and who are the vassals, and to shift the blame for the newest set of economic disasters.

Faced with a Balkan despotism of this magnitude, Mr. Chairman, is it really surprising that our carefully worded, discreet messages of concern over human rights have been completely ignored?

After 7 years of not the slightest improvement in the condition of Romania's minorities, or even the most minimal show of good faith in that direction, is it not the time to consider that the nuances of diplomatic discourse are totally lost on the Romanian leadership?

We submit, Mr. Chairman, that to use the leverage provided for in the Trade Act, to really do something for the millions suffering in Romania today, requires more than formalistic gestures and perfunctory expressions of concern.

Our group focuses on the condition of 2.5 million Hungarians who live as second-class citizens, and are labeled "barbarian intruders," in the land occupied by their ancestors for 10 centuries.

In violation of all major international human rights documents, their children are allowed less and less opportunity to study in their native language. Their once-flourishing cultural institutions are being systematically destroyed. They have no political representation or organizations of their own, at any level of the government. They are systematically relocated out of their ethnic communities.

They cannot use their own language in public life and vis-a-vis the authorities. Books written in their language are deliberately sought and confiscated at border crossings as contraband. Their churches are strangled, their religious archives and relics are confiscated, their priests are terrorized. And, finally, those who dare to speak up against these abuses are harassed, intimidated, imprisoned, and beaten by Ceausescu's secret police.

In these 7 years, Mr. Chairman, the lot of these people has not improved in the slightest. Without strong action, it seems clear that the noble intentions underlying our existing human rights legislation will continue to produce no results. Leverage is not credible or real, so long as the counterpart has no reason to fear its consequences.

It is the considered opinion of the Committee for Human Pights in Romania, Mr. Chairman, that the Romanian regime does not deserve any favors from the United States, and that the revocation of its MFN status has been well earned.

Thank you, Mr. Chairman.

[The prepared statement follows:]

STATEMENT
BY THE
COMMITTEE FOR HUMAN RIGHTS IN RUMANIA

Supplementing the
Oral Testimony
of
Lászlo Hámos

on behalf of the
Committee for Human Rights in Rumania

before the
Subcommittee on Trade
of the
Committee on Ways and Means
United States House of Representatives

at Hearings

ON A PRESIDENTIAL RECOMMENDATION TO CONTINUE THE WAIVER APPLICABLE TO THE SOCIALIST REPUBLIC OF RUMANIA, AND TO EXTEND THE WAIVER AUTHORITY UNDER THE TRADE ACT OF 1974

Committee for Human Rights in Rumania
Post Office Box "J"
Gracie Station
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JULY 13, 1982

FOREWORD

The state of Rumania contains an immense minority population consisting of 2.5 million Hungarians, 400,000 Germans and a sizeable number of Ukranians, Jews, Serbs, Greeks, Turks and others. The Hungarians alone comprise the largest national minority in Europe. Most of these peoples live in Transylvania which is one of Europe's most significant multi-ethnic regions. Were enlightened 20th Century standards applied, Transylvania could be a model for the coexistence of diverse nationalities in an atmosphere of mutual tolerance and understanding. However, under the rule of Rumania's current dictator Nicolae Ceausescu, nothing could be further from the truth.

For the past 25 years this enormous minority population has been the object of a carefully planned, systematic and aggressive campaign of forced assimilation -- a campaign which amounts to cultural genocide. This outrage must be borne in addition to the usual intolerance and terror which affects the life of every citizen of a Communist state, regardless of ethnic origin.

Alarmed at the arrogant brutality of this campaign, young Hungarian-Americans gathered in February 1976 to form the Committee for Human Rights in Rumania, an organization which soon won support by all major associations of the approximately one million Hungarians in America. The Committee's objective is to alert the public opinion and political leadership of the United States to the gross discrimination and human rights violations against national minorities in Rumania.

We are encouraged by the wide-ranging response to our efforts during the past six years. Since the Summer of 1978 the world press and public opinion have awakened to the severe plight of these minorities, and U.S. Congressional support for effective measures against Rumania's discriminatory policies has grown.

Another important development is the ever-increasing number of reports and documents written and smuggled out of Rumania which provide irrefutable evidence of the government's campaign of forced assimilation. The Committee regularly receives and analyzes such primary source materials and has published a selection of dissident works in a volume entitled Witnesses to Cultural Genocide: First-Hand Reports on Rumania's Minority Policies Today (New York, 1979). Copies of this book have been widely distributed to Members of Congress, and the material it contains will be cited throughout the statement which follows. Another widely disseminated work is a study entitled Rumania's Violations of Helsinki Final Act Provisions Protecting the Rights of National, Religious and Linguistic Minorities (New York, 1980), which the Committee prepared for the Conference on Security and Cooperation in Europe, held in Madrid in 1980-1981.

STATEMENT

The Committee for Human Rights in Rumania respectfully requests that the United States House of Representatives, using the authority granted by section 402(d)(5) of the Trade Act of 1974, adopt a resolution disapproving the extension of the President's authority to waive the application of section 402(a) and (b) with respect to Rumania.

Our request is based on two grounds:

> 1. The President's message of June 2, 1982 recommending extension of the above waiver authority is deficient in fulfilling the requirements of section 402(d)(5) of the Trade Act.
>
> 2. The Rumanian government continuously and flagrantly violates norms of international law in its treatment of national minorities, which violations, according to the proper interpretation of section 402 of the Trade Act, mandate a cut-off of the trade benefits accorded to Rumania.

* * *

On the Right of Free Emigration

According to section 502(B) of the Foreign Assistance Act, "a principal goal of the foreign policy of the United States shall be to promote the increased observance of internationally recognized human rights by all countries." As a consequence, although section 402 of the Trade Act specifically mentions only the right of emigration, other existing legislation, the legislative history of the Trade Act itself and the practices established in previous hearings on this subject, mandate an across-the-board examination of Rumania's human rights record. The right of free emigration should be placed into proper perspective as one component of Rumania's human rights performance.

The United States is a nation of immigrants. The right of free emigration is held in very high esteem here. There is even a tendency to regard it as the most important of all human rights, the one which can be substituted for all others. The latter view, in our opinion, is severely distorted. We contend that the right to emigrate is merely a right of last resort; it is an escape chute to be used when all other measures to uphold human rights have failed. When people reach the point of clamoring to emigrate en masse from their homeland, there is clear evidence that deeper problems are to blame.

It should be noted here that the right of Jewish people to emigrate to Israel is unique in character and rationale. While they too are most often escaping persecution and undoubtedly experience difficulties in adjusting to a new environment, they still leave for the purpose of returning to their ancient homeland.

The situation of the national minorities in Rumania is entirely different. Hungarians have lived in this area of Eastern Europe for eleven centuries; this region is their homeland. Instead of allowing or urging or forcing them to leave, they should be aided in their struggle to use their own language, maintain their own culture, practice their own religion -- in short to gain some protection against discrimination and gross violations of their human rights.

Certainly, Rumania's burning human rights problems cannot be successfully tackled through the simple device of easing restrictions on emigration. Even for the remaining Jewish population, estimated between 50,000 and 100,000, this measure would provide only a partial solution. Those who wish to might be permitted to leave for Israel, but those who elect to stay are also entitled to protection to their cultural and religious rights.

The President's Message of June 2, 1982 Does Not Fulfill the Requirements of the Trade Act

The President's recommendation of June 2, 1982 falls short of satisfying the requirements of section (d)(5)(C) of the Trade Act. Specifically, the message does not show in sufficient detail the manner in which the proposed waiver will substantially promote the objectives of section 402 with respect to Rumania.

It should be noted that the President's message represents a substantial improvement over last year's, inasmuch as it demonstrates the Administration's increasing concern over Rumania's human rights policies. However, it still falls short of fulfilling the statutory requirements and should therefore be disapproved by the House of Representatives.

The Ceausescu Regime and Its "Public Relations" Image

Faced with a crumbling economy and mounting protests in his country, Rumanian President Nicolae Ceausescu has consistently reverted to his standard cure-all: more propaganda. But, as the minority dissident Károly Király has noted, the flowery verbiage is merely a device used to cover up gross deficiencies (Letter to János Vincze, in Witnesses to Cultural Genocide, p. 174):

> These beautiful speeches, incorporating so many sound principles were not made for our sake, but to serve the purposes of propaganda, especially propaganda directed abroad...the chasm between theory and practice is vast and in reality while one thing is said, entirely different things are done.

Why has Ceausescu chosen to generate massive, new doses of propaganda instead of implementing even the most minimal reforms? Simply put, such propaganda has proved more effective. Until recently, the impact of sly misinformation, designed to cover up vast deficiencies, has had a remarkable effect in disarming the American media and many Members of Congress. According to an American scholar of Rumanian origin (Vladimir Socor, "The Limits of National Independence in the Soviet Bloc: Rumania's Foreign Policy Reconsidered," Orbis, Fall 1976, p. 729):

> The phraseology of independence has also been ingeniously manipulated by Bucharest leaders to modify the image of their regime abroad. The endeavor has proven largely successful, as the pretense has often been accepted at face value. In lieu of substantiation by actual policies, the nationalistic rhetoric, along with leaks and "confidences" elaborately disseminated by Bucharest to the Western press, officials and ranking visitors, have been accepted as evidence of an independent foreign policy. Thus rhetoric and a sustained policy of misinformation have combined to erase the satellite image and build the new image of a "national Communist" regime striving for independence from Moscow. As a result the West has afforded Bucharest, through exchanges of official visits and favorable publicity, an international respectability unprecedented for a communist government. The regime has succeeded in eliciting international and particularly Western acceptance as a substitute for the internal legitimacy eluding it.

Nicolae Ceausescu of course has not renounced a single tenet from the worn-out and disgraceful book of Marxism-Leninism. He operates an old-fashioned Stalinist dictatorship, maintaining all the usual paraphernalia, including an omnipresent secret police and an insanely promoted personality cult. By placing his wife on the ruling Politburo and at least a dozen other family members in leading positions of political power, Ceausescu has broken all records for nepotism, even in the Communist world (see, inter alia, "All in the First Family," Time, April 30, 1979; "Ceausescus Stamp Image on Rumania," The International Herald Tribune, January 8, 1981; "The Rumanian Shuffle in a Few Easy Lessons," The New York Times, May 30, 1982, Section 4, p. 2).

Ceausescu's most elaborate public relations myth -- his "independent" foreign policy -- deserves further attention here. Mr. Ceausescu is not independent, he simply has a longer leash than the other East European puppets. As Rumania is "landlocked" by other Communist countries, the Soviet Union could safely withdraw its troops in the late 1950's with no danger of losing Rumania to the West. The absence of Soviet troops gives Ceausescu some room to maneuver. But he knows how far he can go, and Leonid Brezhnev knows that he knows. Rumania's "independence," therefore, is due to geographic and political factors over which it has little control, rather than to any real tendencies toward liberalization. Continuously, and with remarkable success, President Ceausescu has employed a scheme of making Rumania's "independence" appear to be the result of his own valiant efforts, rather than the given geo-political situation, thus pulling the wool over Western eyes.

Ceausescu's unbridled megalomania, his irresponsible economic policies and his police state methods, however, are becoming increasingly evident. As reported widely in the Western media, Rumania faces a very serious economic crisis coupled with a severe food crisis. According to an analysis published in Forbes magazine ("A Balkan Despotism," May 11, 1981, pp. 131-36), food stands at the markets are "depressingly bare," and the sight of 500 Rumanians waiting in line for eggs is not extraordinary. And the Forbes reporter had the keen eyesight to place Ceausescu's alleged independence into proper focus (ibid., p. 131):

> The price for this leeway: Ceausescu has rendered unto Moscow a brutally repressive -- but loyal and secure -- police state, one that now shows signs of the kind of economic decay that has afflicted Poland in the last two years.

The reporter went on to make the connection between the Ceausescu policies and the present crisis even more explicit (ibid., p. 136):

> The most profound reason businessmen give for a continually stagnant Rumanian economy is the effect of tyranny on the people. After 30 years of living under the threat of exile, jail or execution for political or economic 'deviation,' the Rumanian has become adept at avoiding the very initiative and responsibility Ceausescu is now demanding.

The linkage between internal repression and economic ruin is echoed in scores of recent news reports concerning Rumania. According to The Wall Street Journal ("Rumania is Rethinking Its Independent Stance As Economy Sputters," October 20, 1981, p. 1), the inhabitants of Rumania now "suffer the lowest living standard in all of Eastern Europe, including the Soviet Union, and live under the strictest internal-security apparatus in the Soviet bloc." The Los Angeles Times ("Rumania Shows the Darkest Side of Soviet Bloc; Only Poland's Economy Is in Worse Shape," February 21, 1982, p. 18) reports that among the Soviet satellite countries, "Rumania has the lowest standard of living per capita, ranking as an underdeveloped nation. It also has the most repressive internal security system of any country in the bloc." The article goes on to hint at the degree of repression in Rumania:

> Particularily frustrating to sympathetic observers, one U.S. diplomat said, is that 'there is no public thinking and discussion about economic reform, even less than in the Soviet Union itself.'
>
> Asked how long Poland's Solidarity trade union movement would survive here, another U.S. diplomat said: 'About half an hour.'

(See also, "Dilemma for Bucharest: Rumania Acts to Keep People From Emigrating, But It Has a Stake in Appearing Liberal on Issue," The Wall Street Journal, September 8, 1981, p. 46; "Economic Woes Are Catching Up With Poland's East-bloc Allies," The Christian Science Monitor, September 18, 1981, p. 3; "Rumania Tightens Its Belt by Rationing Bread," The Christian Science Monitor, October, 1981; "Rumania Falls Behind in Payment on Western Debt," The Washington Post, February 20, 1982, p. 1; "Reagan Rejects Rumanian Loan of $65 Million," The Washington Post, February 21, 1982, p. 1; "Rumania Fails to Pay $5.8 Million It Owes U.S.," The Washington Post, February 25, 1982, p. 1; "Rumania Reported to Stop Paying Creditors," The Washington Post, March 8, 1982, p. 28.)

What has received less coverage in the Western press is the tactic, intensified during the past twelve months, of fueling Rumanian nationalist sentiment to direct public attention away from the dismal economic situation. Barred, by definition, from sharing in the glory of the Rumanian people, the minority nationalities are portrayed as obstrusive, inferior, foreign elements -- convenient scapegoats for the decline in economic conditions.

A chronically short-sighted U.S. foreign policy establishment, together with those Members of Congress who formed a virtual cheering section for this lunatic despot, must now share the responsibility for the crises befalling Rumania. Instead of using available leverage to encourage meaningful economic reforms and internal liberalization, the United States has steadfastly convinced Ceausescu that he can substitute favorable coverage in the world press for bread and at least some measure of freedom for his people.

Minority Oppression Is a Matter of International Concern Per Se

As a consequence of the rearrangement of East Central Europe's borders following World War I, there are now 2.5 million Hungarians and 400,000 Germans living in Rumania. Specifically, these nationalities are concentrated in the region known as Transylvania, of whose population they form about forty percent.

Rumania's national minorities are, of course, subjected to the same general suppression of freedoms as all the other inhabitants of that country. Their situation however is made much more grave by the additional burden of a systematic and increasingly aggressive campaign of forced assimilation amounting to cultural genocide.

Due to the presence of sizeable indigenous minority populations within its borders, Rumania is one of those countries to which Article 27 of the United Nations Covenant of Civil and Political Rights applies. Despite ratification of this Covenant by Rumania, its minority policies stand in clear violation of Article 27, which provides:

> In those States in which ethnic, religious or linquistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

Other international agreements which are regularly violated by Rumania in its treatment of national minorities are the International Convention on the Elimination of All Forms of Racial Discrimination and the UNESCO Convention against Discrimination in Education, both signed and ratified by Rumania.

Measures used to oppress nationalities in Rumania also violate those provisions of the Helsinki Agreement which prohibit discrimination on the basis of national origin and provide for the positive support of regional cultures and national minorities. (See: Rumania's Violations of Helsinki Final Act Provisions Protecting the Rights of National, Religious and Linguistic Minorities. Study prepared by the Committee for Human Rights in Rumania for the Conference on Security and Cooperation in Europe, Madrid, 1980-81. New York, 1980.)

As a matter of course, human rights violations are a subject of international concern; when the expression "human rights" is uttered, it automatically falls within the framework of international law. Moreover, through its own ratification of the agreements mentioned above, Rumania has rendered itself further accountable to international scrutiny.

Rumania's treatment of its national minorities, therefore, can in no way be construed as a matter of purely internal concern to that country. The United States has every legal basis to insist on the restoration of fundamental rights to the minority populations of Rumania.

Before turning to the individual elements of Rumania's abusive minority policies, it must be pointed out that those elements cannot be properly viewed as distinct or isolated infractions. They form instead, the interrelated components of a well-planned and systematically executed campaign to eliminate Rumania's national minorities through forcibly assimilating them into the dominant nationality. The whole then, is equal to far more than the sum of its parts. The proper term for a program of this nature is cultural genocide.

This expression is by no means an exaggeration. In 1948, the United Nations Ad Hoc Committee on Genocide formulated a draft definition of the concept of cultural genocide (U.N. Doc. E/447). Regardless of the fact that the final text of the Convention of the Prevention and Punishment of the Crime of Genocide did not incorporate this definition, the Rumanian government is not absolved of the fact that its behavior exactly corresponds to several elements of the definition.

GENERAL CHARACTERISTICS OF THE OPPRESSION OF MINORITIES IN RUMANIA

With respect to a proper investigation of discrimination in Rumania, lofty guarantees of minority rights in the Rumanian Constitution serve to obscure more than they enlighten, since they are not observed. Article 22 for instance prescribes that

> In territorial-administrative units also inhabited by population of non-Rumanian nationality, all the bodies and institutions shall use in speech and in writing the language of the nationality concerned and shall appoint officials from its ranks or from among other citizens who know the language and way of life of the local population.

The sole difficulty with the above section is that it is completely disregarded. According to Károly Király (Letter to Ilie Verdet, dated February 10, 1980, p. 3):

> In the administration of justice, the state organs, etc., the only language permitted is Rumanian. In meetings of the Party, the trade unions, the Communist Youth League, as well as in meetings of industrial and agricultural workers, all presentations are made in the Rumanian language, even where the overwhelming majority of the audience is not Rumanian. The Rumanian language remains in use even at meetings of the Nationality Workers Councils.

* * *

The failure to observe constitutional and other legal guarantees is one characteristic feature of minority oppression in Rumania. According to George Schöpflin (The Hungarians of Rumania, London: Minority Rights Group, Report No. 37, August 1978, p. 9):

> Another factor of relevance, which is common to all communist societies, is the existence of internal regulations, usually kept secret, which may directly contradict the formal rights entrenched in the Constitution. In Rumania, these internal regulations (dispozitii interne) are widely employed in the field of nationalities policy.

Another major component is the absolute refusal to allow the minorities any role even vaguely resembling the conditions for self-determination, autonomy or independent decision-making. Although there are officials of minority extraction at every governmental level, they are permitted no meaningful voice in representing their own ethnic groups.

The Hungarian Nationality Workers Council was established in 1968 as the only body permitted to serve the interests of the Hungarian minority. But the very text creating this Council exposes it as an instrument of the State, acting to undermine minority interests. The Council's stated purpose is

> to assist the Party and the State, on both the central and local levels, in mobilizing the nationalities to assume their responsibilities in the building of socialism, in researching particular questions concerning the respective populations and in implementing the nationality policies of the Party.

Károly Király, Vice President of the Council for 10 years (until his removal in March 1978), has furnished ample evidence of the Council's abject ineffectiveness. In his letter of February 10, 1980, for example, he writes (Letter to Ilie Verdet, dated February 10, 1980, p. 3):

> As regards the Nationality Councils, their activities are determined exclusively by orders from above. These Councils do not represent the interests of the nationalities. The people belonging to these nationalities cannot participate in the activities of the Councils, and do not elect Council members. The local authorities and the Party Central Committee appoint them. The Party uses these Councils to enforce its own discriminatory nationality policies.

But let us look further into this matter. We find that Hungarians are proportionately represented, but only in those State and Party organs which are not allowed to exercise any real power, such as the showcase "Grand National Assembly" (Rumania's excuse for a parliament) and the 500 member Party Central Committee. Hungarians are virtually excluded from any body which is granted an effective role in matters affecting their own interests. Of the seven secretaries of the Party Central Committee (the holders o real power aside from Ceausescu), not one is of minority origin. Indeed, the Secretary for Nationalities in the Party Central Committee cannot speak any minority language, only Rumanian. The entire Department of Culture contains only a "Bureau" of Nationalities, which is expected to serve all the cultural needs of all the minorities. Its chief activity is the exercise of censorship over the cultural life of the minorities.

On the county level, the ineffectual People's Councils and Party Committees by and large do maintain proportional representation. But where the real power lies, within respectively, the 7-11 member Executive Committees and Party "Bureaus," Hungarians are grossly underrepresented. Indeed, in several heavily Hungarian populated counties such as Banat, Arad and Maramures (Hungarian Máramaros), they are completely excluded from the Party "Bureaus." "In the same way," Károly Király pointed out, "it is nothing new that in cities where the majority of the population is Hungarian -- such as Nagyvárad, Marosvásárhely, Szováta, etc. -- Rumanians who speak no Hungarian are being appointed as mayors" (Letter to János Vincze, in Witnesses to Cultural Genocide, p. 175).

* * *

Another ingenious method for compelling minorities to assimilate can be found in the structure of cultural institutions in Rumania. Independent minority institutions, even at the lowest levels, have been virtually eliminated. The Hungarian university in Cluj (Hungarian Kolozsvár), for example, was made a section of its Rumanian counterpart; Hungarian schools have been merged into Rumanian schools as sections; four out of the six formerly independent Hungarian theaters are now just sections of Rumanian theaters; and so on. The purpose of such arrangements is to deny the existence of a distinct Hungarian nationality, culture or language. Even the expression "national minority" is not tolerated in official publications. The minorities are referred to in official documents as "co-inhabiting nationalities," thereby implying their dependent status vis-à-vis the Rumanians who are, by implication, the only legitimate inhabitants.

* * *

A further characteristic of minority discrimination is the official policy that this problem simply does not exist. In Rumania, "there is continuous repetition of the proposition that the nationality question in our country has been finally, once and for all, solved" (Letter from Károly Király to Ilie Verdet, dated June 2, 1977, in Witnesses to Cultural Genocide, p. 170). While some discussion, and even occasional concessions are allowed concerning other social, economic and political questions, the situation of the minorities is a forbidden subject (ibid., pp. 166-167). Still less is it permitted to propose any improvement in this area. The only task is to combat "nationalism" (meaning, of course, minority nationalism) and to neutralize the "troublemakers." According to Király, who has himself experienced the dire consequences of such "troublemaking", "unpardonably extreme methods of intimidation are employed against those who dare to ask for permission to speak in the interest of having the nationality question handled legally and in accordance with the Constitution" (Letter to János Fazekas, ibid., p. 171). In this way, any demand or complaint concerning minority conditions is wholly ignored, or, in Király's words, "killed by persistent silence" (news article in Dagens Nyheter, Stockholm, March 2, 1978).

* * *

Coupled with this official disregard is another general feature: the absence of any effective, legal remedy against abuse. Article 17 of Rumania's Constitution and Section 247 of Rumania's Criminal Code, which forbid discrimination on the basis, inter alia, of national origin, are never enforced in criminal trials.

This deficiency clearly violates the International Covenant on Civil and Political Rights which states (Article 2, Section 3):

> Each State party to the present Covenant undertakes:
>
> (a) to ensure that any person whose rights and freedoms as herein recognized are violated shall have an effective remedy notwithstanding that the violation has been committed by persons acting in an official capacity;
>
> (b) to ensure than any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
>
> (c) to ensure that the competent authorities shall enforce such remedies when granted.

It would, of course, constitute a patent contradiction for the Rumanian regime to observe these provisions and to prosecute officials under Section 247 of the Criminal Code; such officials would have to be punished for faithfully executing the policies of the Rumanian Party and State. Király has noted this lack of protection on several occasions. In his letter of February 10, 1980 to then Prime Minister Ilie Verdet, he stated (p. 2):

> An extremely burning issue is the total lack of protection of the collective rights of Rumania's national minorities, whether the nationality group is large, as in the case of the Hungarians and Germans, or small as in the case of the Serbs, Russians, Turks, Bulgarians, etc. None of them enjoy collective rights.
>
> This lack precipitates the dissolution of ethnic communities and renders their members increasingly defenseless against the policies of forced assimilation.

* * *

A final overall characteristic of forced assimilation in Rumania is the centrally coordinated fashion in which it is carried out. In a tightly controlled, highly centralized state such as Rumania, the existing pattern of anti-minority abuses could not possibly occur without the consent and approval of the central leadership. Moreover, almost without exception these abuses occur in those areas of official activity which are within the authority of the central government, even in a formal sense (e.g.: confiscation of Hungarian books by customs officials at border crossings, elimination of universities, publication of official history textbooks denigrating the role of minorities, etc.).

Nevertheless, as if to dispel any lingering doubt concerning the question of government policy, on May 8, 1981 Rumanian President Nicolae Ceausescu delivered a virulent anti-minority speech, in effect blaming Hungarians for the woes visited upon the Rumanian nation. Even the normally cautious analysts at Radio Free Europe were unnerved by the tenor of the speech ("Ceausescu Delivers Nationalistic Speech" in RFE-RL Situation Report, Rumania/9, May 12, 1981, p. 7):

> The surprising element in Ceausescu's speech, however, was the nationalistic, chiefly anti-Hungarian tone of the initial, historical part of the address, a slant for which there is no readily discernible need in marking the party's birthday.

According to the same analysts, a probable explanation for Ceausescu's harangue was an effort to "use the old device of distracting people's attention from domestic problems by whipping up national antagonisms" (ibid., p. 8).

In turning now to the list of individual human rights violations against minorities in Rumania therefore, it is advisable to ponder not only the substance of the given violation, but also to examine the manner in which it fits into the comprehensive pattern of minority oppression, interacting with and serving to reinforce the other elements of this reprehensible campaign.

Numerous primary sources will be cited in the discussion which follows. These works have been published by the Committee for Human Rights in Rumania in the book mentioned in the Foreword, entitled Witnesses to Cultural Genocide: First-Hand Reports on Rumania's Minority Policies Today. The documents from this book to be cited are the following:

Pages

"Methods of Rumanianization Employed in Transylvania," by Anonymous Napocensis 57-87

"Memorandum," by György Lázár 88-144

"Memorandum," by Lajos Takács 146-161

"Letter from Károly Király to Ilie Verdet," dated June 2, 1977 163-170

"Letter from Károly Király to János Fazekas," written in August 1977 171-172

"Letter from Károly Király to János Vincze," dated September 10, 1977 173-178

"Letter from Zoltán Zsuffa to Ferdinánd Nagy," dated July 31, 1977 179-182

SPECIFIC ELEMENTS OF THE OPPRESSION

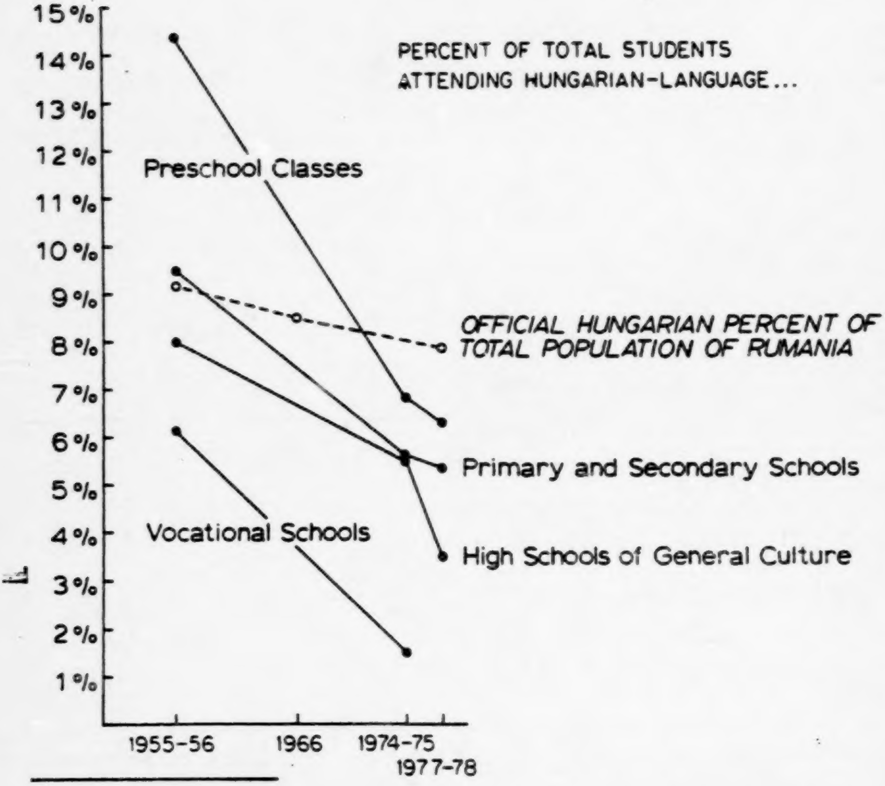
OF MINORITIES IN RUMANIA

1. Discrimination in Elementary and High School Education

Official Rumanian statistics indicate that of all pupils attending preschool institutions in Rumania, the proportion of those allowed to be educated in Hungarian dropped by over 50 percent from 14.4% in 1956 to 6.3% in 1978. The same proportion for primary and secondary school students fell from 9.5% to 5.4%, and for high school students from 8.0% to 3.5%. The total decline in the above categories was from 10.0% to 5.3%. The percentage of students attending Hungarian vocational school dropped from 6.1% in 1956 to 1.5% by 1975. These percentages and the figures used to compute them are shown in the table and graph which follow. (The sources for both are Rumanian government propaganda booklets: The Hungarian Nationality in Romania, Bucharest, 1976, pp. 15-17; and A Living Reality in Romania Today; Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities, p. 15.)

	1955/1956	1974/1975	1977/1978
Preschool Education			
All Students	275,433	770,016	837,884
In Hungarian Classes	39,669	52,765	52,580
Percent in Hungarian Classes	14.4%	6.8%	6.3%
Primary and Secondary Education			
All Students	1,603,025	2,882,109	3,145,046
In Hungarian Classes	152,234	160,939	170,945
Percent in Hungarian Classes	9.5%	5.6%	5.4%
High Schools of General Culture			
All Students	129,135	344,585	813,732
In Hungarian Classes	10,370	19,050	29,028
Percent in Hungarian Classes	8.0%	5.5%	3.5%
Vocational Education			
All Students	123,920	615,876	
In Hungarian Classes	7,585	8,974	N/A
Percent in Hungarian Classes	6.1%	1.5%	

OPPORTUNITIES FOR HUNGARIAN-LANGUAGE EDUCATION
AT THE ELEMENTARY AND HIGH SCHOOL LEVELS
IN RUMANIA •



• SOURCES: The Hungarian Nationality in Rumania (Bucharest, Rumania: Meridiane Publishing House, 1976), pp. 8, 15-17.

A Living Reality in Romania Today: Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities (Bucharest, Rumania, 1978), p. 15.

These official Rumanian statistics indicate that while 25 years ago the number of students allowed to attend Hungarian classes was roughly proportionate to the size of the Hungarian population, the above figures show an alarming decline. Attendance in Hungarian classes has fallen in each category far below the levels which even the official population statistics would warrant.

How has this drastic result come about? The process by which the Rumanian government eliminates Hungarian schools began in 1959. Since that year, independent Hungarian schools have been systematically attacned to Rumanian schools as mere sections, which sections, in turn, have been gradually phased out. The process of totally eliminating these Hungarian sections was legitimized by enactment of the clearly discriminatory Decree/Law 278 (May 11, 1973).

This unprecedented piece of legalized discrimination required the presence of a minimum quota of 25 students at the grade school level and 36 students at the high school level in order to maintain or establish a class in one of the minority languages. (Prior to the issuance of the Decree, this quota had been 15 students.) If a given Hungarian community contained, for example, 24 Hungarian students for a given elementary school class, these children were forced to complete their studies in the Rumanian language. As most villages in Transylvania have only between 500 and 1000 inhabitants, the number of Hungarian students very often fell short of the required quota, and the Hungarian classes had to be terminated. Once a school was thus forced to become Rumanian, use of the Hungarian language was forbidden, even during recess.

What made this Decree still more offensive was that the provisions applicable to Hungarians and other minorities did not apply to Rumanian sections or classes in areas inhabited predominantly by Hungarians. In such towns or villages, a Rumanian section had to be maintained regardless of demand (i.e. even if a given Hungarian village contained only one Rumanian student). The wording of Decree/Law 278 made this requirement perfectly clear:

> In those communities where schools function in the language of the coinhabiting nationalities, Rumanian language sections or classes shall be organized regardless of the number of students.

In 1973, after the issuance of Decree/Law 278, Hungarian sections and schools were eliminated in many villages. Parents attempted to compensate for the loss by arranging at their own expense for rented buses to take their children to the nearest village which still had a Hungarian school. This practice, especially widespread in the counties of Harghita (Hungarian Hargita) and Salaj (Hungarian Szilágy), was soon recognized and summarily terminated by the State, citing the pretext of a "gas shortage."

As students were prevented from being bused to nearby Hungarian schools, the sole remaining alternative would have been to send them away to live at the nearest Hungarian boarding school. The State, however, allowed boarding facilities for Rumanian schools only. This example illustrates the manner in which assorted discriminatory techniques are cleverly intertwined. Their effect is absolute: in the many heavily Hungarian populated, but small communities where the number of Hungarian children fell short of the required quota, those children were left with no other option but to attend a Rumanian school. The school may have been located within the community or, if the community was too small, it may have been a boarding school in a larger town, but in either case the State made certain that it was a Rumanian school.

On December 21, 1978, a new Law on Education and Instruction was enacted (see Buletinul Oficial No. 113, December 26, 1978), which technically supersedes Decree/Law 278 cited above. The new law, however, not only failed to address or rectify the discriminatory practices instituted under Decree/Law 278, but has in actuality facilitated a continued worsening of the situation. Devoting less than 2% of its text to the education of minority children, the law is confined to general and repetitive provisions and does not detail the conditions under which children can study in their native tongue. In practical terms, therefore, the prior discriminatory rules of Decree/Law 278 have been allowed to remain in full effect -- as modified perhaps by the cobweb of secret administrative and Party directives which exist parallel to and often supplant the published regulations. According to latest reports, the elimination of Hungarian sections and classes continues unabated up to the present time.

Another indication of the continuation of this process is contained in a report by László Lőrincz, State Secretary in the Ministry of Education and Instruction, on education in minority languages (published in Invatamintul Liceal, Bucharest, September 1979). According to the figures he cited, 7,503 faculty members "from the ranks of the coinhabiting nationalities" are constrained to teach in Rumanian schools or sections.

Even falsified government statistics can no longer conceal the facts about the rapidly shrinking educational opportunities for Hungarian youngsters. According to official data (A Hét - Évkönyv [Yearbook of the newspaper The Week], Bucharest, 1979, p. 43), in the 1978-79 academic year only 3.8% of students in secondary schools of any kind were able to take at least some of their courses in Hungarian. This figure represents less than half of the proportion of Hungarians to the total population, even according to the doctored official census data. In some fields, the percentage is worse still. In secondary schools training medical personnel, for example, it is only 0.3%, despite the fact that the ability to communicate with patients in their native language is often a matter of life or death.

Even in the remaining Hungarian schools and sections, not just the Rumanian language, but the subjects of literature, geography and history must also be taught in Rumanian. In many Hungarian sections, there are so many Rumanian-language courses that the section is Hungarian in name only. This is especially the case in Hungarian vocational and technical school, where only Hungarian literature and physical education are actually taught in Hungarian.

Moreover, even in Hungarian classes, textbooks are not necessarily written in Hungarian, as revealed in a speech by László Lőrincz (see transcripts of The Joint Plenary Session of the Hungarian and German Nationality Workers Councils, Bucharest, March 13-14, 1978, p. 67). According to this speech, textbooks are considered appropriate for use in Hungarian classes even though they may contain only a glossary in Hungarian, but are otherwise written completely in Rumanian. Under such circumstances, to what degree can even a nominally Hungarian class actually conduct studies in Hungarian?

The lack of Hungarian-language classes has been reported by the distinguished Swiss daily Neue Zürcher Zeitung (in that newspaper's comprehensive survey: "Rumania's Controversial Minority Policy," April 8/9, 1977, p. 3):

> In technical high schools, if a Hungarian student is to advance, he must take mostly those courses offered only in Rumanian. There is no possibility whatsoever of obtaining a higher education in the technical fields in Hungarian.

In trade schools, only the simpler trades are taught in Hungarian. Thus, studies in Rumanian are necessary for advancement into the more highly developed technical fields such as electronics, information technology, medical technology, and industrial chemistry. In 1973-74, for example, of the 174 first year classes entering the trade schools in Cluj (Kolozs) county, only two (!) were Hungarian, one in textile manufacturing, and the other in the construction industry. Such was the case in a county where, as noted above, even according to official Rumanian statistics 26.1% of the population is Hungarian. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 126.)

Matters took a sharp turn for the worse after the Fall of 1976 when a drive was initiated to reorganize Rumania's entire educational system, placing greater emphasis on technical and vocational training, and reducing the number of high schools, or lyceums, which provide instruction in the liberal arts. As an outgrowth of this drive, Hungarian lyceums which had been in continuous existence for the past 300-400 years in such cities as Oradea (Nagyvárad), Cluj (Kolozsvár), Tirgu Mures (Marosvásárhely), Odorheiul-Secuiesc (Székelyudvarhely) and Tirgu Secuiesc (Kézdivásárhely) have been summarily eliminated, while the language of instruction in the new schools is almost exclusively Rumanian.

The impact of this drive was already felt during the 1976-77 academic year: of the 34,738 total number of Hungarian secondary school students, 15,591 were constrained to attend schools in which the technical subjects were taught in Rumanian only ("Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, p. 149). And, as Károly Király pointed out, the situation has deteriorated despite official pledges to the contrary ("Letter to János Vincze," in Witnesses to Cultural Genocide, p. 174):

> We were promised new secondary vocational and technical schools in which studies were to be conducted in the languages of the nationalities, but in reality we have witnessed a decline in the number of these schools. Each year there are fewer and fewer of them. Children cannot study in their native tongue.

Despite the numerous protests of courageous minority dissidents in Rumania, the situation has failed to improve. As Károly Király wrote in his February 10, 1980 letter to Ilie Verdet (p. 2):

> In the area of education the opportunity for children to study in the native tongue has narrowed even further. Classes in the native tongue have been eliminated, and in their place, mixed Rumanian-Hungarian, Rumanian-German, etc., classes have been set up. The discriminatory Decree Law [278] was not repealed. In the Bánát and the Mezőség region of Transylvania there are communities and cities where there is not a single Hungarian-language class, elementary or trade school. In Moldavia, in entirely Hungarian Csángó communities, no forms of education in the native tongue exist.

During the past year, the destruction of the Hungarian school system has continued unabated. According to a recently received "samizdat" document (Voices and Alarming Sounds from Transylvania by Gyula Erdélyi, p. 5), only 30% of secondary schools students in Tirgu Mures (Marosvásárhely), a city that is still 70% Hungarian, may now study in their native tongue. In the 1980-81 academic year, 70 of the Hungarian students admitted to the 9th grade of the Tirgu Mures (Marosvásárhely) secondary school were automatically sent to the Rumanian language section. The reason given was that there cannot be more than two Hungarian classes in mathematics and physics -- even though enough Hungarian students had passed the entrance requirements to fill four such classes. (Curiously, there is never a shortage of Rumanian language classes in predominantly Hungarian areas because of such arbitrary limitations.)

Finally, through discriminatory admissions policies, the State makes it difficult for graduates of Hungarian schools or sections to enter the next higher educational level. Naturally, the Hungarian-language courses at these levels are rapidly eliminated, their existence being predicated upon the number of Hungarians who enter them. The Rumanian State, in the meantime, alleges that it is due to lack of popular demand that such courses are closed. Thus, as in the many illustrations above, the vicious discriminatory cycle is complete, and the outcome for the Hungarian minority is devastating.

2. Discrimination in Higher Education

Higher education has a great historic tradition in Transylvania. The Bolyai University of Cluj (Kolozsvár), for instance, can be traced to the Jesuit academy founded by the Hungarian prince István Báthory in 1581.

On March 5, 1959, the Bolyai University was forced to merge with the Rumanian Babes University. In his book Minorities Under Communism (Cambridge: Harvard University Press, 1977), Robert R. King calls the elimination of this Hungarian institution "the most serious blow to intellectuals among the Hungarian minority" (P. 153). Three professors, including the celebrated writer László Szabédi, committed suicide out of despair at this arbitrary act. Today, many view it as the first major step in the current campaign of cultural genocide, sanctioned at the outset by Moscow in retaliation for the 1956 revolt in Hungary.

It is characteristic that the document of unification, which lists the existing faculties of the two universities at the time of the merger, has been concealed ever since, so as to hide any official evidence of the extent to which the Hungarian faculties have been eliminated. King further states that after the merger, "the 'Rumanianization' of the unified university was gradually carried out" (p. 154). He cites numerous examples of this ruthless process (ibid.):

> Although at first there was an attempt to give Hungarians adequate representation in the administration of the merged university, gradually Rumanians have come to play an increasingly dominant administrative role. When the merger was announced the rector was Rumanian but two of the three prorectors were Hungarian. By 1967 the number of prorectorships had been increased to five, but three were Rumanian. Also, seven of the eight deacons of the university and 61 percent of the teaching faculty were Rumanian.

Present conditions at this allegedly bilingual university are dismal. In the 1976-77 academic year, of all the students (approximately 6,000) only 8% (480 students) have the opportunity to attend Hungarian classes. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 119.) Typical of the lack of Hungarian-language courses is the situation in the University's Department of Chemistry. Only 6 of the 36 courses are taught in Hungarian, but 5 of those 6 are ideological courses (Marxism-Leninism, etc.) and the sixth is Organic Chemistry (ibid.).

A newer measure, introduced in 1979, makes it mandatory to combine a major in any subject belonging in the field of Hungarian studies with the appropriate subject in Rumanian studies. Since that time, applicants who wish to study Hungarian history, literature or linguistics are not admitted unless they can also pass an entrance examination in the Rumanian counterpart to those subjects.

The following list, taken from the Takács Memorandum (Witnesses to Cultural Genocide, pp. 151-152), provides an indication of the fate of the Hungarian section at this university since the merger 24 years ago:

- In 1958-59, the year of the merger, there were 45 Rumanian and 36 Hungarian instructors on the faculty of Chemistry. In the 1976-77 academic year, we find 63 Rumanian and only 14 Hungarian instructors. During the intervening 20 years, 37 young Rumanian instructors were hired, in contrast to only one Hungarian.

- In 1958-59, there were 18 Rumanian and 15 Hungarian instructors on the faculty of Law. In 1977-78, 23 Rumanians and 4 Hungarians remained. In the interim, 8 Rumanian instructors and 1 Hungarian were hired.

- In contrast to the 23 Rumanian and 15 Hungarian instructors on the faculty of Economics at the time of the merger, today we find that the number of instructors has grown to the unusually large number of 95, of whom only 19 are Hungarian.

- In 1959, the entire staff of the Mathematics Department numbered 50, of whom 19 were from the Bolyai University. In this department today we find 65 instructors, of whom 14 are Hungarian. Of the 33 instructors hired since the merger, only 3 have been Hungarian.

- In the History department (at the faculty of History and Philosophy), of the 43 instructors at the time of the merger, 14 were from the Bolyai University. Currently, 27 instructors are left from the time of the merger, of whom 7 are Hungarian. Since the merger, not one Hungarian teacher has been hired. The youngest Hungarian instructor is 49 years old. Of the 7 Hungarians, not one has been named full professor and not one has been given a full pension.

- The situation is similar in the other departments of the University.

There is no guarantee of course that even the remaining Hungarian faculty members indicated above actually teach Hungarian-language classes. But clearly, as their numbers decline, even the possibility of such classes withers away.

A meaningful indicator of the total volume of Hungarian-language education which occurs at the University can be computed by multiplying the number of Hungarian courses by the number of students attending those courses. In recent semesters, the resulting figure has fluctuated between 5% and 10% of the comparable figure at the time of the merger. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 120.)

Why is the elimination of the Bolyai University considered such an outrageous measure? The reason lies in the fact that the Hungarian minority in Rumania forms an immense population, the largest national minority in Europe. One third of all the countries in the world have fewer inhabitants than there are Hungarians in Rumania. It is grossly discriminatory that this population of 2.5 million is not allowed to maintain a single university of its own.

In addition to this University, all other Hungarian institutions of higher education have been systematically curtailed or eliminated. King writes that "at the time Babes and Bolyai Universities were merged, the Dr. Petru Groza Agricultural Institute in Cluj was 'reorganized', and separate language instruction was dropped" (Minorities Under Communism, p. 154). Actually, according to Takács (Witnesses to Cultural Genocide, pp. 152-153), "Hungarian-language instruction was completely eliminated" at this Institute. "Currently, of the 205 faculty members employed there, only 16 are Hungarian -- all of them left over from the old institute -- and during the past 20 years, not one Hungarian teacher has been appointed" (ibid.). Of course, since studies can be conducted only in the Rumanian language, even these remaining Hungarians cannot teach in their native tongue.

According to King, "The Hungarian medical school in Tirgu Mures has also undergone a process of 'Rumanianization'" (Minorities Under Communism, p. 154). The number of cases is endless. In 1976, for the first time in the history of the school, a Rumanian rector was appointed to head the Hungarian Teachers College in Tirgu Mures (Marosvásárhely). Based on past experience, there can be no mistake as to the meaning of this measure for the future of this prestigious college. Indeed, during the time which has elapsed since this appointment, existing courses of instruction in Hungarian literature, language and music have been completely eliminated.

Károly Király wrote about the fate of institutions of higher education in the following manner ("Letter to János Vincze," in Witnesses to Cultural Genocide, pp. 174-175):

> In 1976 a decision was born to eliminate Hungarian institutions of higher education. After the "Bolyai" University in Kolozsvár came the Institute of Medicine and Pharmacology at Marosvásárhely, and then, by special order from above, a Rumanian section was established at the István Szentgyörgyi School for the Dramatic Arts, thereby liquidating in effect the last "island" of higher education in a nationality tongue.

In his February 1980 letter to then Prime Minister Ilie Verdet (p. 2), Király reported that the situation in Hungarian higher education is "continuously deteriorating."

Parallel to the disappearance of opportunities to study in Hungarian, there has been a catastrophic drop over the past two decades in the proportion of Hungarian students attending any institution of higher education. This decline, illustrated in the table below, can only be explained by discriminatory admissions policies. According to Lajos Takács (Witnesses to Cultural Genocide, p. 153) during the 1957-58 academic year, there were 4,082 Hungarian students studying in their native tongue, and between 1,000 and 1,500 studying in Rumanian, at all institutions of higher education. At that time, therefore, there were approximately 5,500 Hungarian students out of a total student population of 51,094. Less than 20 years later, during the 1974-75 academic year, the total number of Hungarians attending institutions of higher education was 6,188, while the total student body had grown to 108,750 (ibid.). Thus, while the number of all students in higher education more than doubled during that period, the number of Hungarian students rose by only about 600, or a mere 10%.

Continuing the pattern shown by Takács, recent government statistics demonstrate a still greater decline in the opportunity for Hungarians to pursue a higher education. According to no lesser authority than Dr. Vasile Catuneanu, a high-ranking official in the Rumanian Ministry of Education, out of a total student population during the 1978-79 academic year of 180,000, only 7,497 were Hungarian (*A Hét - Évkönyv* [Yearbook of the newspaper *The Week*], Bucharest, 1979, p. 45). Thus, while the figures cited in the preceding paragraph reveal a drop in the Hungarian/Rumanian student ratio from 10.76% in 1957-58 to 5.69% in 1974-75, the newer official statistics show a further decline to 4.16% in 1978-79. Furthermore, it must be emphasized that these figures demonstrate only the drastic decline in the ratio of students who are themselves Hungarian. The number of such Hungarian students who can actually take at least some of their courses in Hungarian (a figure which the government has curiously declined to publish in recent years) has undoubtedly diminished by now to a miniscule percentage.

STUDENT POPULATION AT ALL INSTITUTIONS OF HIGHER EDUCATION IN RUMANIA*

	1957-58	1974-75	1978-79
All Students	51,094	108,750	180,000
Hungarian Students	5,500	6,188	7,497
Percent Hungarian Students	10.76%	5.69%	4.16%
In Hungarian Classes	4,082	N/A	N/A
Percent in Hungarian Classes	7.98%		

*Sources:

Columns 1 and 2: "Memorandum," by Lajos Takács, in *Witnesses to Cultural Genocide*, p. 153.
Column 3: "Nineteen University Towns, One Hundred Eighty Thousand University Students," Interview with Dr. Vasile Catuneanu, in *A Hét - Évkönyv* [Yearbook of the newspaper *The Week*], Bucharest, 1979, p. 45.

One final comment on this topic seems appropriate. The severe restriction on those subjects which can be taught in Hungarian is not without serious impact on the lower levels of education. As indicated earlier, the various elements of discrimination in Rumania cannot be isolated, for they act to reinforce one another. Thus, the fact that the number of subjects which can be pursued in Hungarian beyond high school is relentlessly declining undoubtedly serves to pressure aspiring Hungarian students to begin studying those subjects in Rumanian during their earlier years of schooling.

3. Dissolution of Compact Minority Communities and Dispersion of Ethnic Professionals

As a Communist dictatorship, the Rumanian Government has almost complete control over its labor and housing markets. This control is used to break up homogeneous ethnic Hungarian communities.

The systematic denationalization of Hungarian cities has been noted in the Financial Times of London ("Transylvania's Ethnic Strains," April 2, 1975). The case of Cluj, Rumania's second largest city, is described as follows:

> Over the past 15 years, Romanians have been settled in this formerly almost entirely Hungarian city whereas Hungarians from the surrounding area have been banned with the result that Romanians now make up 65 per cent of the population.

In Rumania, citizens are not permitted to resettle into another city without official approval. At the same time, it is government policy to prevent the minority populations of cities from growing. Accordingly, while Hungarians find it almost impossible to move into the major cities of Transylvania, the influx of Rumanians is not only permitted, but encouraged through offers of favorable housing opportunities and other benefits.

Industrialization, which as in all Communist states is government-planned, is used as a tool to achieve the same purpose. Earlier, some of the most heavily Hungarian populated counties were among the most industrially underdeveloped. Hungarians seeking industrial employment were thus constrained to move to Rumanian areas or to commute long distances. Presently, with industrialization reaching into such counties as Covasna (Kovászna, 74.4% Hungarian) and Harghita (Hargita, 88.1% Hungarian), instead of employing the local population, the new factories are staffed mostly by Rumanian settlers imported by the government from outside areas. In his February 1980 letter to Ilie Verdet (p. 5), Károly Király described this policy as follows:

> The generous overindustrialization of Transylvania, particularly of the Hungarian inhabited areas, about which so much is made, and for which so much gratitude is expected of the locals, is based on this policy.
>
> On the excuse of labor shortage, masses of people from historic Rumania are brought not only into the cities, but into the villages as well. If it were true that all this is being done out of love for the nationalities, then the possibilities of study in and use of the native tongue would not be hindered.

It has been alleged that the reason for the decline in the Hungarian percentage of some Transylvanian cities is that their "hinterland" was much more Rumanian than Hungarian and "that upward mobility has favored the lesser developed Rumanian masses." This hypothesis is disproved by such cities as Miercurea Ciuc (Csikszereda) where in the past 10 years, as a consequence of industrialization, the percentage of Hungarians has fallen from 90% to 70%. This city happens to lie in the heart of a region which is purely Hungarian.

Another example of this policy is the manner in which workers have been hired at the new Azomures chemical factory in Tirgu Mures (Marosvásárhely). This city lies at the center of an area surrounded by a 90% majority of Hungarian inhabitants. Despite this fact, 90% of the workers in the Azomures plant are Rumanian. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 132.)

An entire series of laws assure the virtual serfdom of workers in Rumania. Examples are Decree-Law 24/1976 on "the recruitment and allocation of manpower" and Decree-Law 25/1976 on "the assignment of able-bodied persons to useful employment." Going far beyond regulation of the job market, these laws are used to forcibly resettle the minority population and to coerce the internal exile of non-conformist individuals. Work assignments based on the above laws are enforceable by police power. According to Article 201 of Law No. 5/1971 (as amended): "for persons who are assigned or transferred to work for an undetermined period in another locality, where they are guaranteed housing, according to law, and where they live together with their families, the militia will put into effect change of domicile to that area."

The same laws limit the opportunity for workers to commute. Thus, Hungarian workers who had been able to live in their native communities because they were willing to commute long distances must now either move to their place of employment (usually to Rumanian communities) or face the loss of their jobs (ibid., p. 133).

The breakup of Hungarian communities is further accomplished through the routine assignment of Hungarian graduates of universities and trade schools to jobs outside their native communities. Even though President Ceausescu himself, speaking on March 14, 1978 before a joint plenary session of the Hungarian and German Nationality Workers Councils (see transcript of March 13-14, 1978 session, published in Bucharest, p. 24) cited this practice as a "deficiency" in Rumania's nationality policies, it continues unaltered to the present day.

The stated policy of the Rumanian government, that graduates with the highest grades are given first choice of where to work, cannot account for the extent to which Hungarians are sent into Rumanian areas and Rumanians into Hungarian districts. As a result, the displaced Hungarians are cut off from their ethnic roots, and their children have no opportunity to attend Hungarian schools. More importantly, the Hungarian minority is deprived of doctors, lawyers, and other professionals who speak their own language. A frequently heard complaint, especially among the elderly in rural areas, is that they cannot communicate with the local doctor. This outrage was most recently reported by the American historian John Lukács in the article he wrote following a trip to Transylvania (see "In Darkest Transylvania," The New Republic, February 3, 1982; Appendix, p. A-4). Obviously, the otherwise sensible practice of rewarding top graduates with first choice in place of employment could still be applied effectively with the simple modification that Hungarian graduates be allowed to choose from among Hungarian areas and Rumanian graduates from among Rumanian regions.

The fact that Rumanian graduates are also sent into Hungarian districts does not make this policy any less discriminatory. On the contrary, although Hungarians are required to speak Rumanian in the Rumanian areas to which they have been sent, Rumanian professionals do not have to speak Hungarian in Hungarian areas. Consequently, the local population must either accomodate to the language of the Rumanian professionals foisted on them, or suffer the consequences. The discriminatory nature of this policy is clear. It is also intimately tied to the government's policy on minority schools. The sending of Rumanians into Hungarian areas paves the way for the elimination of Hungarian schools, since the children of these Rumanians are educated in newly created Rumanian sections. The Hungarian sections are then phased out as shown above.

Clearly, the Ceausescu regime, which appeals to nationalistic chauvinism as a source of legitimacy and power, does not easily tolerate compact masses of another nationality. Dissolution of communities is an effective way to disrupt the life and weaken the identity of ethnic groups.

4. Lack of Bilingualism

The Rumanian government's policy of referring to Rumania as a "unitary national state" is well known. But while that condition might be the desire or the aim of the government, it is also true that Rumania is currently multi-ethnic, especially in the region of Transylvania. The presence of several million inhabitants comprising large national minority groups is an undeniable fact which has well-defined consequences according to the rules of international law applicable to such minorities.

In contravention of these rules and Article 22 of the Rumanian Constitution quoted earlier, Rumanian is the official language spoken everywhere in Rumania; it is the exclusive language at all levels of government bureaucracy. Use of the native tongue has been completely eliminated from all areas of official activity. We challenge the Rumanian government, for example, to produce evidence of a single statement made in Hungarian during any meeting of a Party or local governmental organ in such heavily Hungarian localities as Oradea (Nagyvárad), Satu Mare (Szatmár), Bihorea (Bihar), Timisoara (Temesvár) or Cluj (Kolozsvár).

As Károly Király pointed out ("Letter to János Vincze," in Witnesses to Cultural Genocide, p. 175):

> Use of the native tongue is severely restricted at meetings of the Party, the Young Communists League, the trade unions, and in the various workers Councils; indeed, use of the native tongue is prohibited even at meetings of the Nationality Workers Councils. [Emphasis added.]

The lack of bilingualism is further evidenced by the fact that traffic safety signs and bureaucratic forms are all in Rumanian. Moreover, as Király writes (ibid.):

> Signs identifying institutions, localities and so on in the native tongue of the local inhabitants have almost completely disappeared. In 1971 when I was First Party Secretary in Kovászna County, we posted bilingual Rumanian and Hungarian signs there, in accordance with a decree of the County Peoples Council. But their existence was shortlived. The signs were simply removed, and by 1975, not a single locality was identified in Hungarian.

In addition, there is an increasing tendency to appoint Rumanian personnel to all positions which involve contact with the public in Hungarian areas. In Tirgu Mures (Marosvásárhely), for instance (which as already noted is still 70-75% Hungarian) the Rumanian mayor does not even speak Hungarian and postal service personnel are almost exclusively Rumanian. (See also "Letter from Károly Király to János Vincze," in Witnesses to Cultural Genocide, p. 175.)

In this regard, the author of the Neue Zürcher Zeitung article cited above made the following observation:

> In Cluj whose population is still 45% Hungarian-speaking, signs in that language are clearly forbidden. Only Hungarian theater billboards and announcements in churches visited by Hungarians are in Hungarian.

According to Article 109 of the Rumanian Constitution, judicial proceedings throughout the country must be conducted in the Rumanian language. Thus, the only right a Hungarian defendant or litigant has before the court of his own native community is to be provided with an interpreter. This "right," however, is no more than the right granted to any foreigner brought to trial in Rumania.

Even a marriage ceremony of two young Hungarians cannot be conducted in their native tongue. Lately, determined young people -- as a form of resistance -- have endured months of bureaucratic aggravation and delay (and, in some cases, police harassment) simply for the opportunity to be married in Hungarian. Mrs. Ádám Könczey, a high school teacher in Cluj (Kolozsvár) for example, was publicly branded a "chauvinist" at a faculty meeting in her school, because her son had won a several-month-long struggle to use Hungarian at his marriage ceremony which took place on January 3, 1980.

In the technical professions, due to the absence of bilingual instruction noted above, use of the Hungarian language is simply impossible. It is also impossible to find a menu in Hungarian in the restaurants of Cluj (Kolozsvár) where a large percentage of the population is Hungarian. Postcards depicting Hungarian historical monuments bear descriptive texts in four or five languages, none of them Hungarian.

The lack of bilingualism is made all the more severe by the overt and subtle forms of intimidation which are employed to eliminate the use of the native tongue at all levels of society. Károly Király pointed out this problem when he wrote (Letters to Ilie Verdet and János Vincze, in Witnesses to Cultural Genocide, pp. 168 and 175):

> In some cases, first secretaries, first vice-presidents, county secretaries in municipalities and cities and vice-presidents in the Peoples Councils, though of nationality origin themselves, use only the Rumanian language in their contacts with workers of nationality origin, letting them know in this way that perhaps someone prohibited them from using the native tongue...

> Nationalities cannot use their native tongues even in State offices; after all, most of the officials are Rumanians who do not speak the nationality's language, either because they do not know it or because they refuse to use it. [Emphases added.]

Due to this complete absence of any degree of bilingualism and the chauvinism encouraged by government policies, members of minorities are often forced to endure derision and threats for using their native tongue, even in private conversations at public places. There are strong official pressures on Hungarian parents to give their newborn infants Rumanian names. Hungarian names are frequently Rumanianized in official documents and the press, without the consent of the individuals concerned.

It seems fitting to conclude here with the experience of a recent visitor, a well-known writer, to Transylvania. In the predominantly Hungarian village of Sic (Szék), he found only one sign written in Hungarian. It hangs on the wall of the village tavern and declares: "It is forbidden to sing in Hungarian."

5. Curtailment of Cultural Opportunities

In view of the already discussed decline in Hungarian educational opportunities and the increasing denationalization of Hungarian communities, it is hardly surprising that the same policy of curtailment and elimination permeates every aspect of minority cultural life as well. As noted by The Times of London ("Party Officials Join Fight for Hungarians' Rights," April 25, 1978, p. 9):

> The Hungarians, who hitherto had their old cultural institutions have gradually been losing them as the policy of enforced assimilation by the Rumanian state gained momentum over the past 10 years or so.

The following are only some examples of this discriminatory process:

- No independent Hungarian writers, artists, or musicians association may exist in Rumania today despite the rich, living heritage of Transylvanian Hungarian creators in those areas. Even in the field of literature, where language is obviously of supreme importance, Hungarians can only belong to the Rumanian Writers Association as individuals. They are not permitted to pass even resolutions of their own. Their only right is to make proposals to the entire body. Their leaders are not elected, but appointed by the Rumanians. Out of "courtesy" to the attending Rumanian officials, Hungarian writers are not able to hold meetings or carry on discussions in their own native tongue. In this way, Hungarian poets and authors are forced to discuss their literary work in another language: Rumanian. Contacts -- even informal -- with literary associations in Hungary are strictly forbidden. Though only a fraction of their work is allowed to appear in Rumania, Hungarian writers are prohibited from publishing any original works in Hungary.

- The volume of Hungarian-language books published in Rumania is clearly insufficient. According to official government statistics 2,423,000 copies were published in 1977, meaning only one book per Hungarian for the entire year. And, of course, this figure includes an inordinately heavy share of translations from the Rumanian language, including such "gems" as the collected works of Nicolae Ceausescu. In the period from 1970 to 1977, of the 19 publishers who published anything in Hungarian, 12 did not exceed 10 titles each. During that seven year period, Akademia Publishers issued only 1 work in Hungarian, Medicalia published 4, Minerva published 1, and the Tourist and Sport Publisher issued 1. Eight of these publishers do not employ a single Hungarian editor, while the other four employ one each. As a result of these conditions, there is a severe shortage of Hungarian books of a technical nature and of Hungarian children's books. ("Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, p. 155.)

The number of Hungarian-language newspapers, frequency of publication and number of pages have all been forcibly curtailed in the past years under the pretext of a "paper shortage." Rumanian newspapers were also curtailed, but their allocations were soon reinstated while those of the Hungarian newspapers were not. Six Hungarian newspapers formerly published daily are now allowed to appear only weekly. There is no journal on drama or music or the other arts in Hungarian, even though the demand for these items is high. Nor are there any technical, medical and other professional journals in the minority languages. All Hungarian high school and university student newspapers have been terminated. Even the children's periodical Jóbarát has been forced to merge with its Rumanian counterpart Cutezatorul and can publish only translations of articles which appear in the latter. Those publications which do exist are used by the State to further undermine the national identity of the minorities. Newspapers, magazines and literary publications in Hungarian do not serve the political, economic or cultural/spiritual needs of the Hungarian minority. Literary magazines, for example, are to a great extent devoted to the translated works of Rumanian authors and to the activities of the Communist Party.

To counter the charge of discrimination in this field, it could be argued that all publications, including those in the Rumanian language are filled with official propaganda. But of all the Communist-ruled countries, Rumania appeals the most to national chauvinism as a source of popular support. The Ceausescu regime, intoxicated with delusions of its own grandeur, treats the mere existence of minorities as anathema. Official Rumanian propaganda, therefore, is not only Communist, but especially chauvinistic in nature. It serves the interests of a chauvinistic dictatorship bent on robbing its minority populations of their national identity. Thus even when applied equally to both Hungarians and Rumanians, it is inevitably discriminatory against the former.

- Book imports from Hungary are severely restricted by Rumanian regulations which tie their number to the volume of books Hungary imports from Rumania. Because, obviously, more Hungarian literature is produced in Hungary than in Rumania, and the publication of Hungarian-language books in Rumania is kept at an artificially low level, this linkage works as an effective obstacle to the importation of literary products from Hungary. In this way, for example, the most widely known novel by one of the greatest contemporary writers in Hungary, László Németh, published in 1948, was not distributed in Rumania until 1967. The restriction on literary imports from Hungary applies equally to classical literature, specialized scientific and technical texts, and phonograph records, even those containing only folk and gypsy music. Subscriptions to periodicals published in Hungary can be obtained only with official permission and only if they do not exceed a numerical quota. Eighty to ninety percent of such requests are rejected, including those of schools, libraries and institutions as well as individuals.

The policy of restricting materials from Hungary also applies to private individuals (Rumanian citizens as well as foreign visitors) who enter Rumania with personal belongings. The following typical border incident was reported by an American news correspondent (Eric Bourne, "After 20 Years of Silent Protests, Transylvanians in Romania Are Calling Loudly for Their Rights," The Christian Science Monitor, May 25, 1978, p. 15):

> Scene: The border crossing on the main highway from Hungary into northwestern Romania.
>
> Awaiting Customs clearance, a coachload of Romanian citizens of Hungarian origin.
>
> They are returning home to the Hungarian minority region of Transylvania in Romania after visiting relatives in Hungary.
>
> On one side of the border the Hungarian guard waves them on quickly. But on the other side the Romanians take longer.
>
> Passengers' suitcases and parcels are all meticulously checked -- not for luxury items, but for Hungarian books and newspapers, which are invariably confiscated.
>
> A girl is relieved of several volumes of a Hungarian encyclopedia. Near tears, she explains they are for her studies, but to no avail...

> These arbitrary Romanian restrictions on the import of Hungarian publications are a major cause of increasing resentment among the 2 million ethnic Hungarians living in Romanian Transylvania.

John Lukács's first-hand report of his border crossing is also revealing ("In Darkest Transylvania," The New Republic, February 3, 1982; Appendix, p. A-5):

> On the Rumanian side of the frontier with Hungary, the wait is three hours. There are not more than seven or eight cars in line, but the hoods and the trunks have to be opened, the seats are pried apart, the luggage taken out and deposited on concrete slabs of benches .... The Rumanian police are looking for foreign books, including books from Hungary, which are confiscated. I was warned about that in Budapest and left my books behind.

The Committee for Human Rights in Rumania possesses several official receipts issued by Rumanian customs authorities in the past year and a half, recording the confiscation of many volumes of Hungarian literature of a completely non-political nature.

- Twenty years ago there were six independent Hungarian theaters in Transylvania. Today only two of them exist, one in Cluj (Kolozsvár) and the other in Sfintul Gheorghe (Sepsiszentgyörgy). The remaining four have been merged into Rumanian theaters (except that of Timisoara (Temesvár) which was merged with the German one) where the management and service personnel are exclusively Rumanian.

The purpose of the mergers was to suffocate a flourishing institution, the Hungarian theater. A good case in point is the process which occurred in Tirgu Mures (Marosvásárhely). This predominantly Hungarian city (70-75%) is the cultural center of a totally Hungarian rural hinterland (90-95%). Though there appeared to be no need for a Rumanian theater, one was created and forcibly merged with the Hungarian theater. A Rumanian director who does not speak a word of Hungarian was appointed to head the new theater ("Letter from Károly Király to János Vincze," dated September 10, 1977, Witnesses to Cultural Genocide, p. 175). As expected, Rumanian performances played before an almost completely empty house, while Hungarian performances were almost always sold out. The result is that season tickets can now be bought only for the combination of Rumanian and Hungarian performances. Hungarian theater-goers are thereby forced to subsidize the Rumanian performances and, consequently, the gradual suffocation of their own theater section.

Coincidentally, the city's István Szentgyörgyi Hungarian School for the Dramatic Arts was merged into a newly created Rumanian counterpart. As Király writes (ibid.): "Just to eliminate any remaining doubt concerning the latter move, of the six Hungarian graduates of the School for the Dramatic Arts, only one was appointed to a Hungarian theater, while the remaining five -- whether they liked it or not -- were placed in Rumanian theaters." The locality in question, Tirgu Mures (Marosvásárhely), has never had a Rumanian theatrical tradition, and the Rumanian drama instructors who teach in the new school commute regularly from Bucharest. Clearly, the only purpose of this merger was to provide the means for gradually eliminating a vital Hungarian institution. Even the Rumanian theatrical elite was outraged at this measure.

For many years Hungarian theaters in Rumania fulfilled an important mission by touring the Hungarian-inhabited countryside performing plays for the people in small towns and villages. In recent years, however, the government has begun to interfere with this practice as well. It has, for instance, restricted the amount of gasoline allocated to the Hungarian Theater of Cluj (Kolozsvár) and in 1975 it confiscated the Theater's truck. Many outlying localities thus lost the opportunity to benefit from the Theater's performances. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 116.)

- Twelve years ago the Hungarian Folk Institute of Cluj (Kolozsvár) was closed without explanation. At about the same time the Székely Folk Ensemble was also eliminated. A so-called Maros Folk Ensemble was created in its place, which performs considerably more Rumanian than Hungarian numbers. Moreover, an internal (unofficial, but strictly enforced) Party directive prohibits any further hiring of Hungarians by this ensemble. The same directive applies to the Hungarian Philharmonic Orchestra in Tirgu Mures (Marosvásárhely). These cases are mentioned only as examples of the manner in which allegedly Hungarian groups are forced to conduct their activities.

- Despite a potential audience numbering in the millions, films in Rumania cannot be made in Hungarian. There are no facilities for the training of theater directors, drama critics, art critics, or music critics in Hungarian. Requests for permission to study in these professions in Hungary are routinely denied.

- Fortunately, the inadequacy of Hungarian-language broadcast programming in Rumania is partly offset by the invaluable services of Radio Free Europe and the Voice of America. Nevertheless the situation falls far short of expectations: The present 3 hours of television programming a week in a language that is the native tongue of 2.5 million people is grossly inadequate. Adding to this insufficiency, television program schedules were rearranged in January 1974, so that even these scant 3 hours are now broadcast during a time period (Monday, late afternoon) when the majority of potential viewers are still at work.

The situation with respect to radio programming is no less deplorable. It is outrageous and highly discriminatory for example, that Radio Tirgu Mures (Marosvásárhely), whose broadcast area has a Hungarian population of more than 90%, transmits only 2 hours daily in Hungarian.

- Finally, it is revealing to examine the supply of books in public libraries. According to recent data the volumes in these libraries are predominantly in the Rumanian language even in entirely Hungarian communities. Two examples are the library located in the Kalotaszeg region (close to 100% Hungarian populated) where out of 30,000 books only 5,471 (18.2%) were in Hungarian, and the library of Rimetea (Torockó, 93.1% Hungarian populated) where out of 7,531 books only 3,228 (42.9%) were in Hungarian ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 116).

6. Falsification of Population Statistics

Rumanian statistics consistently understate the size of the Hungarian minority in Rumania. Based on a census taken in 1910, the Hungarian population within the region which later formed the Rumanian state was placed at 1.6 million. According to the 1966 Rumanian census, despite the passage of 56 years, the number was still the same.

This strange result might be explained by internal inconsistencies in those Rumanian statistics which deal with the growth rate of the Hungarian minority. The last three censi in Rumania have produced the following published statistics:

	TOTAL POPULATION EXCLUDING HUNGARIANS	HUNGARIANS
1956	15,901,775	1,587,675
1966	17,483,571	1,619,592
Growth Rate, 1956-1966	9.9%	2.0%
1977	19,852,542	1,706,874
Growth Rate, 1966-1977	13.5%	5.4%

According to these figures, between 1956 and 1966, the non-Hungarian population of Rumania grew by 9.9%, at a rate almost five times greater than the alleged Hungarian growth rate of 2.0%. Similarly, between 1966 and 1977, the total population of Rumania, excluding Hungarians, supposedly grew by 13.5%, while the growth rate of Hungarians was only 5.4%. In reality, aside from statistical juggling, there is no circumstance which can be cited to justify such vast differences in growth rates.

Furthermore, there are demographic statistics on Hungarians which suggest a significantly larger Hungarian population than that which is officially reported. According to official Rumanian sources (e.g. The Hungarian Nationality in Romania, Bucharest, 1976, pp. 23-24), there are about 1.5 million active Hungarian churchgoers in Rumania. This number represents 92.6% of the Hungarian population shown in the same booklet. The magnitude of this percentage, however, is clearly absurd given the well-known pressures in Communist countries against practicing one's religion. The comparable percentage for the United States, where freedom of worship is fully protected, is only 62.9%. Taking the given 1.5 million Hungarian churchgoers and applying 62.9%, a figure probably still an exaggeration for a Communist country, the size of the Hungarian population would be approximately 2.4 million.

During his 1976 visit in the United States, a high-ranking official from Rumania provided a still more astonishing example of the internal inconsistences in Rumanian statistics. Seeking to prove the vast freedom of worship for minorities in Rumania, he quoted the results of a new survey to determine the number of Hungarians belonging to each of six religious denominations. When added up, however, the six figures totaled 1,724,000 or 17,126 more Hungarian churchgoers than the entire Hungarian population according to the Rumanian census taken a year later!

Another example of the falsification of population statistics is provided in the recent "samizdat" document Voices and Alarming Sounds from Transylvania by Gyula Erdélyi (p.4). According to official statistics, 1,200 Hungarians live in the vilage of Sarmasu (Nagysármás). However, the local Reformed Church alone lists a congregation of 2,300, complete with names and addresses. (The Reformed Church in Transylvania is a strictly Hungarian denomination.) Thus, at least 1,100 Hungarians are statistically denationalizied, or more exactly Rumanianized, with the devastating consequence that there is no Hungarian education in that village. The document also points out that the situation is similar in all small, outlying locales with populations of mixed nationality, and specifically it names the following: Ludus (Marosludas), Gherla (Szamosujvár), Bistrita (Beszterce), Cimpia Turzii (Aranyosgyéres), Iernut (Radnót), Rupea (Kőhalom), and Hateg (Hátszeg).

The Rumanian regime uses several techniques to underrepresent the size of the Hungarian minority. One method is to eliminate two ancient Hungarian groups from population data on Hungarians: the Csángós and the Székelys. The Csángós number about 250,000 and are the only major group of Hungarians which lived under Rumanian sovereignty even before the Rumanian annexation of Transylvania. They have comprised a minority amid Rumanians for centuries, living in Moldavia outside the Carpathian basin. They are never counted as Hungarians despite the fact that they have preserved their distinct Hungarian language, culture and Roman Catholic faith. As Károly Király reported in his February 1980 letter to Ilie Verdet (p. 2):

> In the last census they were denied even the possibility of declaring themselves Hungarian, and were officially declared Rumanian. Such actions could not have happened in the past, even under the most reactionary regimes.

The statistical annihilation of the Csángós as Hungarians is only part of the government's campaign against them. In 1958, for example, they still had 72 schools. Today they have none ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 124). Further, not only Hungarians from Hungary but Transylvanian Hungarians as well are discouraged through intimidation from visiting the Csángó region.

The Rumanian government has repeatedly displayed its paranoia over the existence of this relatively small Hungarian community. In the Fall of 1980, for example, at the Moldavian university located in Iasi (Jászvásár) the authorities confiscated a small Hungarian library which had been donated to the students by the official (i.e. Communist controlled) literary magazine "Korunk." The authorities also banned the Hungarian students' amateur performing arts group. Both measures were announced by the students "voluntarily," after they had been threatened with expulsion from the university.

Recently, the Rumanian government policy against the Csángós has taken a turn which rivals even the worst excesses of fascist chauvinism. The tactic is revealed in a document on the Csángó problem recently smuggled from Rumania, (Lineage Research and Name Analysis in Rumania by Mihály Kemény, p. 2), which cites two examples:

> - Mária Bálint of the Csángó village of Lespez was told she could receive an official document from the People's Council only if she changed her unmistakeably Hungarian-sounding name "Bálint" to the Rumanian "Balau."
>
> - Pál Istók of the Csángó village of Klézse was denied a marriage license unless he Rumanianized his Hungarian name. (Istók and his fiancée refused this condition and did not get married.)

In contrast to the Csángós, the Székelys (sometimes called Szeklers in English) are an autochthonous population of Transylvania. They are often, though not always counted separately from Hungarians in spite of their being proudly Hungarian and indeed, the most resistant to the inroads of forced Rumanianization. The distinction between the Székelys and other Hungarians is of purely historic interest and is no more or no less significant than, for example, the distinction between the Normans and other Frenchmen, Prussians and other Germans, or Highland and Lowland Scots. According to an English historian "they differ, in their own eyes, from the other Magyars only in being more Magyar than they" (C.A. Macartney, Hungary and Her Successors, Oxford University Press, 1968, p. 255). The Rumanian policy of playing up this distinction and completely excluding the 250,000 Csángós, can have no other end than to reduce the significance of the Hungarian population to which all Hungarians -- Székely, Csángó or otherwise -- equally belong.

Another sly tactic involves the demographic questionnaire used to compile census data (most recently, in January 1977). The form contains three spaces requiring identification as to "citizenship," "nationality" and "native tongue," in that order. The census taker is instructed not to complete the "nationality" blank, as if he had forgotten to pose the question. As "citizenship" is obviously Rumanian, where "mother tongue" is Hungarian, the blank is later filled in as follows: "Nationality: Hungarian-speaking Rumanian." The result statistically, is one less member of the Hungarian nationality and one more Rumanian. This artificial distinction between nationality and native tongue, together with the "correction" of the census returns, serves the dual purpose of understating the size of the Hungarian population and increasing the number of Rumanians. This practice was uncovered by the International Commission of Jurists ("The Hungarian Minority Problem in Rumania." Bulletin of the International Commission of Jurists, No. 17, December 1963, p. 41):

> The Rumanian National Statistical Office carried out a census in 1956 and it was emphasized that the civil servants carrying out the census were obliged to call attention in each case to the basic difference between nationality, i.e., ethnic origin, and mother tongue. All persons registered had to state to which national ethnic group they belonged. The distinction between national group and mother-tongue and the obligation to state before officials one's national group drive a wedge between a people and its culture and this indeed is reflected in the figures given by the census. For every thousand people of declared Hungarian origin there were one thousand and forty-two giving Hungarian as their mother-tongue. It is difficult to believe that Hungarian, difficult and almost unrelated to other languages, is the mother-tongue of any but Hungarians, and yet 4.2% of the Hungarian minority group shrank from stating that they were Hungarian. The reasonable conclusion to be drawn from this is that in their eyes it was better not to declare oneself to be Hungarian.

7. Confiscation of Church Archives

In 1948 the United Nations Ad Hoc Committee on Genocide accepted the following definition as one of the ways by which the crime of cultural genocide may be committed (United Nations Document E/447):

> ...systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value and of objects used in religious worship.

As noted earlier, regardless of the fact that the final text of the Convention on the Prevention and Punishment of Crime of Genocide did not incorporate the above language, Rumania's recent behavior exactly corresponds with this definition.

Act No. 63 of November 2, 1974 on the Protection of the National Cultural Treasury and Decree/Law 207 (1974) (amending Decree/Law 472 (1971) on the National Archives) are major tools used to eradicate the history of Hungarian cultural institutions. Under the above laws, the goverment summarily nationalized all "documents, official and private correspondence, recordings, diaries, manefestos, posters, sketches, drawings, engravings, imprints, seals, and like material" over thirty years old, from the possession of religious and cultural institutions or private citizens. The pretext was the "protection" of these documents but the real intent soon became obvious from the crude and summary manner by which the regulations were enforced.

The Swiss daily Neue Zürcher Zeitung ("Bureaucratic Chicanery Against the Churches in Rumania," February 1/2, 1975, p. 6) reported this outrage in the following manner:

> The intent behind the nationalization of the ecclesiastical archives is to sever the religious communities from their historical roots. A church without a past /tradition/ has no future, especially one which represents a religious and national minority. The first victim of these warlike designs against the religious and cultural minorities by the Rumanian regime was the Hungarian Reformed Church in the northeast districts of Oradea, Satumare, Baia-Mare and Zalau. Here in the mother country of the Reformation in Transylvania, appeared officials from the State Archive, assisted by an authorized agent from the Department of Culture and a representative from the episcopate, who seized the archives of approximately two-hundred church communities and deaneries.

> The material was -- in many cases without receipt -- loaded onto trucks and carted away. The historical order of the archives has become completely disrupted in the process -- one method of "reserving" and "protecting" historical materials -- rendering scientific research for the next decades impossible. The Rumanian government has openly embarked on an escalated campaign against the Reformed Church and the Hungarian nationality /minority/...
>
> It would be much easier and simpler, from a scientific point of view, if the church archives were to keep the originals and were to hand out copies to the state. In this way, the claimed scientific concern by the state would be amply maintained, and the articles would remain in the archives, instead of being transported away to distant, unknown and possibly inaccessible locations.
>
> Especially the two "reformed" churches /i.e., the Reformed and Lutheran/ have been preserving in their archives the tradition of their religious and linguistic individuality, dating back to the time of the Reformation.

These church archives had for centuries been inventoried by the churches themselves. The archives were generally in excellent order and condition, but more importantly, they were accessible to researchers. The immense archive of the Roman Catholic episcopate of Oradea (Nagyvárad), for example, was housed in a building built in the 18th century and equipped expressly for that purpose. The archive is now stored in a warehouse of the castle in the city, inaccessible to scholars. Similarily, as a consequence of neglect and mistreatment by the authorities, the archive of the Roman Catholic episcopate of Satu Mare (Szatmárnémeti) has been almost completely destroyed. The archives of the Roman Catholic lyceum of Oradea (Nagyvárad), and of the Reformed Church Colleges of Orastie (Szászváros), Sighetul Marmatiei (Máramarossziget), and Satu Mare (Szatmárnémeti) have also suffered severe deterioration. ("Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, pp. 155-156.)

For the past 27 years Rumania has maintained absolutely no facilities for the professional training of archivists, not even in Rumanian. (During the "legislative debate" surrounding the passage of Act No. 63, Ceausescu himself was astonished to learn this fact.) The few archivists extant in Rumania are not expert in ancient Slavic, ancient Greek, Hungarian and Latin, the languages in which these documents were written. The richest Hungarian collection in the country, the Batthyaneum Library in Alba Iulia (Gyulafehérvár), does not employ a single Hungarian expert (ibid., pp. 156-157).

The above-mentioned outrages form part of a systematic effort to re-write Rumanian history in order to suppress the significance of the indigenous Hungarian culture. Another means for achieving the same objective was reported by the London Financial Times ("Transylvania's Ethnic Strains," April 2, 1974):

> A favourite device is to 'facelift' the tombs and crypts of famous Hungarian families in the medieval Házsongard cemetery in Cluj by alloting them to recently dead Rumanians. In this way, the ethnic composition of the former population, now dead, is restructured favourably.

8. Harassment of Churches

The multinational region of Transylvania has a long heritage of religious freedom. It was in Transylvania that freedom of religion was written into law for the first time in history, in 1568 at the Diet of Torda. Significantly, this momentous event occurred at a time when elsewhere in Europe wars of religious intolerance were raging.

The Rumanian State, through its "Ministry of Cults," exercises a policy of total interference in ecclesiastical matters regardless of their administrative, social or theological nature. No decision can be implemented by the churches unless it is thoroughly reviewed and approved by the Ministry of Cults. For instance, any social or religious gathering, with the exception of Sunday worship, must be approved by the State. The same condition applies to the right of churches to use their material resources. State approval of such use has been known to take years.

Another curiosity (in a country which purports to guarantee freedom of worship) is that all church objects are kept on official inventory, as property of the state. In churches in Rumania, state inventory labels can be seen on every last item, from the altar and church pews to the collection plate and even sacramental objects used to administer holy communion.

Protestant congregations in Rumania are denied the ancient and traditional right to elect their own ministries and persbyters. They may only propose candidates, since the State has reserved the right of selection for itself. Religious instruction is also subject to debilitating government intrusion. While the State does approve religion classes to be held during certain prescribed hours, school authorities are instructed to organize compulsory school activities at precisely the same hours. Non-attendance at such activities results in official reprimand of not only the "delinquent" child but the parents as well.

It should be emphasized that these restrictions harm especially the minority populations. Religious affiliation generally corresponds with nationality in Rumania. The Church then is the only remaining institution which could fulfill the minorities' needs and permit them to nurture their ethnic heritage. In this sense, "harassment of churches" assumes a far greater meaning for minorities than only the curtailment of religious freedoms. Hungarian ministers, for instance, are subjected to severe interrogation, if -- as frequently occurs in the many communities which have no Hungarian school -- they teach children in their native tongue.

The most outrageous abuse of the minority churches, however, is directed against the Hungarian Catholic Csángós in Moldavia. There, even the church was made a tool of denationalization. As Károly Király wrote in his February 1980 letter to Ilie Verdet (p. 3):

> In spite of the fact that the inhabitants are all Hungarians and Roman Catholics, they have Rumanian priests, and as a consequence, their services are conducted not in their Hungarian native tongue, but in the Rumanian language -- not to mention the fact that in the Moldavian villages inhabited by Csángó Hungarians all forms of schooling in and instruction in the native tongue have been eliminated for two decades.

By paying one third of the salaries of clergymen, the State claims the right to their complete and faithful cooperation. If the situation calls for it, they can be forced at any time to become part of the Communist propaganda machinery -- both at home and abroad. It is no accident, for example, that on June 4, 1976, a five-member delegation of church leaders was herded on three days' notice to the United States to promote the Rumanian government at various educational and theological institutions. Nor is it accidental that since that time, several other church leaders have been sent on similar public relations missions to American legislators and politicians.

Forced isolation harms minority churches which have sister communities in the West and which are dependent to a great extent on donations from abroad to support their charitable work. Aside from limitations on their travel, clergymen are forbidden to receive gifts from abroad and to correspond with relatives, friends or institutions in non-communist countries.

Freedom to publish theological books, periodicals, and other religious material is extremely limited. The propaganda booklet The Hungarian Nationality in Romania, distributed in 1976 by the "Romanian Library" in New York is able to list only five theological books published in Hungarian in the last quarter-century (p. 25). For the 700,000 members of the Hungarian Reformed Church (p. 23), only one bimonthly publication can be circulated in a mere 1,000 copies (p. 43). Furthermore, church libraries are forbidden to lend any books, even though they were acquired through the donations of the very same parishioners who might wish to borrow them.

The Hungarian Protestant Theological Institute of Cluj (Kolozsvár) came into being in 1949 as a result of forced unification of the independent Presbyterian and Unitarian Theological Institutes. This institute is indeed, as the above-mentioned propaganda booklet claims, "a unique institute" (p. 24): Through this forced unification, both the Presbyterian and Unitarian Churches were deprived of their ancient tradition of self-determination which had included the training of their own ministers. The curriculum of the Protestant Theological Institute is now carefully designed and supervised by the Ministry of Cults. Examinations, which are all oral, are chaired by an Inspector from the Ministry of Cults to insure that future clergymen of the Hungarian minority keep in line with State policy.

Since the earthquake which struck Rumania on March 4, 1977, the government has employed a novel form of discrimination against minority chuches. The earthquake, whose greatest impact was felt in and around Bucharest, also reached into Transylvania, seriously damaging 78 Hungarian Reformed churches. Of the buildings affected, five had to be demolished and, as of the summer of 1978, it was impossible to hold services in fifteen. The cost of repairs was estimated at $2,000,000 and sister churches in the West raised large sums of money to send to Rumania for the restoration of these buildings.

The Rumanian government, however, by imposing a variety of bureaucratic and arbitrary obstacles, has effectively prevented the transfer and use of such funds for their intended purpose. Decree No. 21465/1974, for example, forbids members of the clergy from receiving any gifts from abroad without permission from the Ministry of Cults. In several instances, such permission was in fact denied, and funds donated for the specific purpose of rebuilding churches were arbitrarily diverted to other uses. Only forceful intervention by the Swiss, West German and Dutch governments has been able to ensure the restoration of some of the damaged churches with funds received from those countries. Many of the churches, however, continue to languish in disrepair -- despite the availability of funds collected specifically for their repair -- more than four years after the earthquake.

For Hungarians, these churches represent more than simply places in which religious services are held. They are historic monuments: important elements of Hungarian cultural heritage and paradigms of Hungarian architecture and art from the Middle Ages to recent times. Their disappearance would constitute an irreplaceable loss to the Hungarian nationality, and their present neglect is clearly part of the overall campaign by the Rumanian government to eradicate the evidence of Hungarian cultural heritage from Transylvania.

Those Hungarian believers who protest the violations of religious freedom by the Rumanian government are harassed and imprisoned -- exactly as their Rumanian brethren. During the Summer of 1979, Lajos Osváth, a Hungarian Baptist, was sentenced to one year of forced labor for belonging to a dissident group called "The Rumanian Christian Committee for the Defense of Freedom of Religion and Conscience" (ALRC). Later he was expelled from the country.

9. Bans on Private Lodging

Decree/Law 225 (1974) prohibits the accomodation of non-Rumanian citizens in private homes with the exception of closest relatives. The punishment for disobeying this law is a draconic fine of 15,000 leis (about $1,200) which is imposed on the unfortunate host. The law was ostensibly created for the protection of the hotel industry and applied to all visitors. The discriminatory character of the law becomes obvious, however, in light of the fact that it is the 2.5 million Hungarians who have the greatest number of relatives and potential visitors abroad -- among the 10.5 million Hungarians in neighboring Hungary alone, not to mention the several million Hungarians in the West who have escaped Rumania's intolerant atmosphere since World War I. Indeed it is difficult to find a Hungarian family in Rumania without relatives or close friends living in either Hungary or the West. Due to the extreme scarcity of hotel facilities in rural Transylvania, the generally modest means of these would-be visitors, and especially the threat of harassment and intimidation for even the most innocent failure to obey the unreasonable and selectively enforced provisions of this law, visits are often rendered a practical impossibility.

A Neue Zürcher Zeitung reporter (April 3/4, 1977, p. 4), finding this law to be obviously discriminatory against Hungarians, interpreted its existence as resulting from a fear inherent in Rumanian internal policy "which sees in any visitor from Hungary, a country which by Communist standards is less orthodox, a carrier of the dangerous bacteria of freedom." One wonders at the true extent of oppression in Rumania, where visits even by citizens of a "fellow socialist country" are subject to official obstruction.

Claims concerning the alleged non-discriminatory nature of Rumania's restrictions on foreign visitors have become especially untenable since the issuance of Decree/Law 372 (November 8, 1976) amending Decree/Law 225. According to its text, one of the express purposes of the new Decree is to encourage and advance the enrichment of the "Rumanian language and culture," unmistakably excluding a similar desire for minority languages or cultures. Moreover, the lifting of visiting restrictions and the elimination of currency exchange requirements apply only to visitors of "Rumanian origin"; reports indicate that at border crossings this vague category is strictly interpreted to include only those of Rumanian nationality as determined by the name and birthplace appearing on travel documents or according to similar unwritten and arbitrary criteria.

10. Falsification of History

The Rumanian government is obviously annoyed by the fact that for many centuries before the first arrival of Rumanians in the region of present-day Rumania, several other nationalities (today's national minorities) had already inhabited that area. Nevertheless, in order to prove the Rumanians' historical "precedence" in the area, the government -- through its academic mercenaries -- has utilized an unproven theory based largely on pseudo-scientific speculation. According to this theory the Rumanians are descendants of the ancient Dacians, a people whose last proven presence in the area predates the appearance of Rumanians there by nine centuries. Although this theory has little credence in the eyes of any serious non-Rumanian scholar, according to a Neue Zürcher Zeitung reporter (April 3/4, 1977, p. 3), it has been elevated to the level of State ideology.

At this point it should be noted that arguments concerning the historical priority of peoples living many centuries ago have no relevance whatsoever to the rules of international law governing the treatment of national minorities; still less can such arguments be used as an excuse for the oppression of 3.5 million minority individuals. The only reason for dealing with this theory is to point out the sinister goal which its promotion serves in Rumania today.

The theory does not stop at the assertion of Rumanian priority. Rumania's historians today stigmatize minority groups as "intruders" who upset the social and cultural order of the "original inhabitants," the Rumanians. In many cases, textbooks, travel guides and other literature actually re-christen Hungarian historical figures and make them into Rumanian national heroes having no connection with the Hungarian people. The same materials contain an almost absolute silence on the centuries of Transylvania's Hungarian history.

Another method of eradicating the Hungarian history of the region is the wholesale transformation of historic cityscapes. Presently, for example, the Rumanian government is funding the construction of a massive Rumanian Orthodox cathedral in the central plaza of the ancient, and still largely Hungarian city of Sfintul Gheorghe (Sepsiszentgyörgy). (Funds such as these are available to the officially supported Rumanian Orthodox Church -- especially if an anti-Hungarian purpose can be achieved in the process.) In order to provide the new cathedral with a sufficient view, several buildings in the historic center district of this Hungarian city are likely to be demolished. Among the buildings in imminent danger is the former county courthouse, now used to store the archives confiscated from Hungarian churches in the area.

In keeping with the tradition of tyrannies that feed the people on nationalism in order to divert attention from hardships, Rumania's deepening economic crisis has brought on an ever more virulent appeal to the basest kind of national chauvinism and to sentiments of hatred against the "barbarian intruders," the minorities. An example of this officially-sanctioned racist drive is a book by Ion Lancranjan recently published and widely distributed in Rumania, A Word About Transylvania (Cuvint Despre Transilvania, Editura Sport-Turism, Bucharest, 1982). It is a primitive, romanticizing, emotionally overcharged tract on the magnificence of the Rumanian people, replete with frequent references to the inferiority of Hungarians and other minorities. The following is a typical passage (p. 162):

> The unification ⌊of Transylvania with Rumania⌋ in 1918 was not, as is claimed today, the beginning of the Hungarians' "minority fate." That condition started much earlier, around the time they came here to Transylvania, where there was an original majority population and a quite well developed, stable political and social order, whose disadvantage it was that it could not deal with conquest and infiltration, being much too peaceful -- which once again proves its stability and continuity.

According to the book, then, more then ten centuries of Hungarian statehood, history and cultural achievement in Transylvania before 1918, amount to no more than a "minority fate" which is, of course, well deserved, since it followed a "conquest" and "infiltration" of the flourishing social order of the "original inhabitants." The characteristic insecurity of the author over the fact that there exists no trace of evidence of the conquest, the social order or even the presence of the supposed original inhabitants is betrayed in the passage. From the point of view of offending historical accuracy this book, and others like it published in Rumania today, is atrocious. What makes publications of this sort truly sinister however, is that thay are clearly intended to justify the oppression and forced assimilation of the Hungarian minority both in its own eyes and in those of the Rumanians whose insecurities and hatreds they exploit and incite.

Systematically, through such destructive techniques, the dynamism and superiority of the Rumanian people becomes "historically proven," while national minority inhabitants, lacking historical or cultural roots of comparable brilliance, are considered no more than second-class citizens. One devastating practical effect of this process in Rumania today is that minority children are taught that the cultural richness of the area is solely the result of Rumanian creativity, thereby making those children ashamed of their ethnic identity. The remaining schools which still educate children in Hungarian must use official textbooks which teach these children that their nationality has no past in the area. Without a past, by implication, this nationality can have no future -- unless, of course, it assimilates into the resplendent Rumanian people.

The notion of Rumanian superiority thus provides a convenient "scholarly" justification for implementing the massive campaign of forced assimilation against minorities, involving the vast array of discriminatory measures noted above.

11. Harassment and Intimidation of Minority Individuals; Systematic Repression of Minority Dissent

In order to implement more effectively its campaign of forced assimilation, the Rumanian government regularly subjects minority individuals to personal harassment, intimidation and other coercive techniques. Hungarians are made to live under the perpetual threat of persecution, which they know can be instituted against them for the slightest assertion of their cultural rights, for their refusal to agree to and participate actively in the curtailment of those rights, or even for the mere fact that they happen to be Hungarian.

The secret police ("Securitate") frequently carry out these strong-arm tactics, which Nicolae Ceausescu himself became adept at employing even before he became President. On March 5, 1959, for example, he was present at the dinner at which the forced merger of the Hungarian Bolyai University with the Rumanian Babes University was celebrated in the name of brotherhood and equality. Ceausescu, secretary to the then dictator Gheorghe Gheorghiu-Dej, had been sent to head the campaign to intimidate the Hungarian professors in order to force them to accept the crippling of their university. During the dinner, a leading Hungarian writer and intellectual, László Szabédi, questioned the motives of the government in ordering the merger. The result was an intensive harassment of Szabédi by the secret police, which finally drove him to commit suicide a few weeks later. (A chilling, eyewitness account of Szabédi's tragedy and the events leading up to it can be found in "Methods of Rumanianization Employed in Transylvania," by Anonymous Napocensis, in Witnesses to Cultural Genocide, pp. 66-69.)

Another practice consists of secret police searches of the homes of selected Hungarians and the confiscation of their Hungarian language materials. Only four such cases which occurred during the recent past are cited below:

- Antal Juhász, a Catholic priest from Cristurul-Secuiesc (Székelykeresztúr), was forced, under threats by the secret police, to surrender his copies of a Hungarian ethnographic encyclopedia and the 1979 reprint of two ancient Hungarian religious codes.

- Géza Borsos, a schoolteacher from Gyergyócsomafalva, was harassed by the police on numerous occasions, and, in the course of a house search, his books on Hungarian history were confiscated.

- Lajos Szentes, a schoolteacher from Nusfalau (Szilágynagyfalu), was subjected to a house search by police who claimed to have received an anonymous tip concerning the illegal possession of Western currency there. The police found no currency, but they did take his set of a Hungarian ethnographic encyclopedia.

- Márton Demse, a former schoolteacher from Bacau (Bákó), was detained at the Rumanian-Hungarian border on August 15, 1980 and removed from the train on which he was traveling to Hungary. The charge: possession and attempted smuggling of a small amount of Rumanian (!) currency. Demse was in fact carrying the Rumanian currency because he had been unable to purchase Hungarian currency in Rumania, despite numerous, entirely legal attempts to do so. This ridiculous infraction cost him not only a heavy fine, but repeated searches of his home and the confiscation of his Hungarian-language books (including some which had been published in Rumania!). Since his "capture" at the border, Demse has been harassed and intimidated constantly by the secret police. The true motive for his persecution, of course, derives from his role as a Hungarian teacher for many years and as an intellectual among the ethnically Hungarian Csángós (see pp. 36-37 supra.).

The efforts of the Rumanian government to isolate the Csángós, the Hungarian population of Moldavia, from their kin across the mountains, and to eradicate them statistically, are accomplished by especially severe intimidation and outright terror. Some examples follow:

- In recent years, a Transylvanian Hungarian ethno-musicologist, the widely respected Zoltán Kallós, was imprisoned on false charges of homosexuality while he was conducting research on the folk music of the Csángós. Due to the intervention of Amnesty International, he was later released, but Mr. Kallós' ordeal has not ended. In September-October 1980 he was again subjected to constant police harassment.

- The kind of reprisal suffered by Hungarians who travel to Moldavia or exhibit any interest toward the Csángós, their ethnic kin, is illustrated by the case of Géza Szántó-Kovács, an engineer from Miercurea Ciuc (Csikszereda), a town in Transylvania. He was fired from his job because on several occasions he had visited the Csángó area with his car. The police investigation of his "crimes" lasted for several months.

- Tamás Jenei, minister of the Hungarian Reformed Church in the Csángó village of Bacau (Bákó), dared, in 1980, to speak out publicly against the government's policy toward his people. After spending ten months at hard labor, he was exiled from the Csángó region entirely. Nevertheless, he may consider himself fortunate to be allowed to continue his calling at all (Voices and Alarming Sounds from Transylvania, p. 9).

The case of Károly Király remains an ongoing campaign of harassment and intimidation. Since the Summer of 1978, instead of taking measures to improve the country's human rights record, the Rumanian government has waged a campaign of pressure against Mr. Király, formerly a prominent Hungarian in the Rumanian Communist Party who became a fearless internal opponent of minority oppression. The official reaction to Király's moderate and reasonable efforts is highly indicative of the government's overall treatment of national minorities.

During the Summer and Fall of 1977, Károly Király, until 1972 an alternate member of the Rumanian Politburo, wrote three letters to top Party leaders, describing government efforts to denationalize and forcibly assimilate the country's Hungarian minority. Király cited a host of discriminatory and oppressive measures: the refusal to grant national minorities a representative voice in government, the implementation of "restrictive quotas" denying employment opportunities to minority workers, the forced elimination of schools and classes offering instruction in the minority languages, the "naming of non-Hungarian speaking, Rumanian mayors" in cities "inhabited predominantly by Hungarians," the prohibition on use of minority languages in public institutions and administrative offices, and a variety of restrictions on minority cultural expression.

In one of his letters, Király also assailed the "violence and torture" used against minority inhabitants and recalled that "the harassment of Jeno Szikszai, the eminent professor from Brassó, drove him to commit suicide." (Szikszai was one of the scores who fell victim to a brutal and bloody government effort carried out in the Spring of 1977; its aim was to silence Hungarian intellectuals in Rumania by "exposing" them as members of an allegedly chauvinistic conspiracy detrimental to the interests of the Rumanian state. See Letter to Ferdinánd Nagy, by Zoltán Zsuffa, in Witnesses to Cultural Genocide, pp. 179-182.)

Király's only remaining position in the government bureaucracy at the time he wrote his letters was that of Vice President of the Hungarian Nationality Workers Council. In March 1978 he was deprived of that position as well. In the past, he had held various positions as First Party Secretary in Covasna County and head of the People's Council there, member of the Party Central Committee and alternate member of the Politburo, member of the Grand National Assembly (parliament) and member of the Council of State, nominally the supreme body of state power in Rumania. At one of the high points in his career, in 1970, he was a member of the delegation which accompanied President Ceausescu to the Lenin Centenary Celebrations held in Moscow. His last post at the head of the Hungarian population's highest political organ gave him an excellent vantage point from which to assess the extent of minority oppression and the window-dressing nature of his own organization, which is supposed to represent the interests of the Hungarian minority.

Király wrote his first letter, dated June 2, 1977, to Ilie Verdet, the Politburo member responsible for ideological matters and, among others, for nationality policies. (Since that time, Verdet has been appointed Prime Minister and subsequently — on May 21, 1982 — dismissed from that position.) In the letter, he outlined the shallowness of his organization's activities, charged the government with hypocrisy in its official pronouncements that "the nationality question has been solved" and presented his own recommendations in 12 points.

Having failed to receive any response for several months, Király followed up with letters to two top Party leaders. The first was sent in August to János Fazekas, another Politburo member, and the second on September 10 to János Vincze, a member of the Central Committee. The tone of these subsequent letters was more bitter, and the charges contained in them embraced the government's entire policy toward national minorities.

In early October 1977, Király was summoned to Bucharest. Instead of dealing seriously with the constructive proposals he had included in his letters, the Party leaders subjected him to a barrage of intensive, police-style interrogations. He was accused of having no faith in the Party leadership and was pressed to reveal the names of his "collaborators." Finally realizing the futility of his well-meaning and constructive criticism, he consented to the publication of his letters in the Western media.

During the last week of January 1978, reports of Király's protest appeared in major newspapers throughout the world. Never in recent memory had this issue received such concentrated attention. The reaction of the Rumanian regime was predictable and swift. Instead of implementing long overdue reforms, it initiated a new campaign of terror. For several weeks Király's home town resembled an armed camp, with plainclothesmen, armed militiamen and armored cars stationed on every street. Király himself was threatened with death and with the killing of his infant child. He was pressured to disavow his letters and denounce them as "fabrications of the CIA and Radio Free Europe." Király held his ground with great courage and refused to withdraw his protest. As a result, in February he was exiled from his home town of Tirgu Mures (Hungarian Marosvásárhely) to the small town of Caransebes (Hungarian Karánsebes). Despite strict instructions to the contrary, on March 1, 1978 he granted an interview to three Western correspondents during which he reiterated his protest, supplementing it with further details about the reaction of the regime. In return, the Rumanian secret police prohibited Király from receiving any further visitors.

In October 1978, after threatening that he would apply to emigrate, Király was allowed to return to his home town. He has lived there since then, under close police surveillance. According to his own account, he is constantly harassed and intimidated by the authorities. He has been isolated from his friends, who are themselves subjected to severe questioning about him and threatened against trying to approach him. He is thus a virtual prisoner in his own home. Once, in the Fall of 1978, the window of the car in which he was riding was shattered by a gunshot. Though probably not an assassination attempt (Western interest in his case is still too intense), it was undoubtedly another effort to further intimidate him.

Unfortunately, the isolation and harassment, but especially his anxiety over the safety of his wife and small child, are taking their toll: according to medical reports, Király's health deteriorated significantly. The Rumanian government, not feeling sufficiently secure to eliminate Király outright, adopted the tactic of slowly nudging him toward a "natural death." Király in the meantime, remained steadfast in refusing to compromise or abandon his principles. "I don't care if they make salami out of me, I still won't give up my thankless struggle," he wrote in a May 1979 letter. "But let them truly solve the problems and then I will be ready to write even a hundred articles withdrawing my protest." Realizing the seriousness of his position, Király ended the letter with the chilling comment that if the authorities in Bucharest find it impossible to spare his life, "all I ask is that they allow my family, my relatives and my friends to go on living."

On February 10, 1980 Károly Király sent another powerful letter of protest to Prime Minister Verdet. In the letter he revealed that following his initial protest in 1977, Verdet admitted that the Party had committed "mistakes" in the treatment of the minorities. In an obvious attempt to silence Király, Verdet promised to see to it that remedial steps would be instituted. After waiting two years for the implementation of these measures, Király now concludes that the Party leadership has broken its word and that "I am now compelled by these broken promises to raise this question again" (p. 1). In his letter he again summarized the list of major abuses which Rumania's minorities suffer.

Since last year Király's health has deteriorated further. Due to his understandable mistrust of physicians in Rumania -- who are all government employees -- Király has repeatedly applied for permission to travel abroad to obtain medical treatment and also to visit relatives in Hungary, East Germany and West Germany. According to latest reports, he has still not been granted a passport, and he continues to live under close police surveillance.

Despite the harassment of Mr. Király, other knowledgeable and high-ranking sources within Rumania have also verified the existence of severe minority oppression. On April 24, 1978, the existence of three further protest documents written by prominent members of the Hungarian minority was revealed to Western journalists. First, a 7,000 word memorandum, including 18 separate demands for improved minority rights, had been prepared by Lajos Takács, professor of international law, candidate member of the Party Central Committee and -- as was Király before his removal in March -- Vice President of the Hungarian Nationality Workers Council. (As a result of his protest memorandum, in November 1979 Professor Takács was removed from his Party post. For a translation of the memorandum by Professor Takács, see Witnesses to Cultural Genocide, pp. 145-161.) Another protest, focusing on curtailment of Hungarian-language opportunities, had been sent by András Sütő, the best-known writer of the Hungarian minority and also a candidate member of the Central Committee. Finally, it was reported that János Fazekas, who as Deputy Prime Minister is the highest-ranking Hungarian minority official in Rumania, had also issued a personal appeal calling for improvements in nationality policies.

In 1980, Károly Király's brother István Király also joined the ranks of active Hungarian dissidents in Rumania. As recounted in his September 1980 letter to the Bucharest Party leadership, in July 1980 he had renounced his membership in the Party, stating at the time (p. 1):

> There is a wide chasm between the current practices of the Party leadership and the fundamental principles of the Party, as evidenced primarily in:
>
> - the personality cult;
>
> - the silencing of any good-faith, constructive criticism; and
>
> - the total rejection of any sincere dialogue aimed at solving the nationality question on a basis of full equality.

As in the case of his brother, government retribution against István Király was swift. By last Fall he had lost his job at the local branch of the State Archives in Miercurea Ciuc (Hungarian: Csikszereda). Because he was no longer a Party member, he was denied employment even as an elementary school teacher. Since his troubles began, he has been supporting his family by performing odd jobs, and he is subjected to constant police harassment.

Károly Király, his brother István Király and others -- individuals of rare personal courage -- have sacrificed their careers and risked their well-being and perhaps their lives, to express the plight of their 2.5 million fellow Hungarians in Rumania. Each of them having spent years in positions which enabled them to closely observe the Rumanian system, there can be no doubt about the authenticity of their charges. The persistent effort to ignore the issues they raised and to concentrate instead on silencing the sources of protest serve as further damning evidence of the Rumanian goverment's callous disregard for human rights.

CONCLUSION

The Committee for Human Rights in Rumania was organized in the belief that Congress intends to enforce section 402 of the Trade Act. Further hope was evoked in us by the emphasis on the role of human rights in our foreign policy and by the fact that Congress has repeatedly endorsed this policy.

Adherence to existing international law and full restoration of minority institutions is all we demand of the Rumanian government. We believe these demands to be fair and reasonable. The U.S.-Rumanian Trade Agreement provides the United States with strong leverage to promote such noble objectives. It should be utilized to its full extent to pressure Rumania to alter its outrageous minority policies. The most effective action which this Subcommittee can now take is to adopt a resolution disapproving the President's recommendation to waive section 402 of the Trade Act with regard to Rumania.

APPENDIX

The beautiful and bitter end of Europe.

IN DARKEST TRANSYLVANIA

BY JOHN LUKACS

WHEN I TELL my American friends that I traveled in Transylvania, their response is predictable, automatic, universal: "Dracula!" with a grin. I am irritated by this example of the dismal influence of movies on entire categories of American knowledge—or, rather, anti-knowledge. "Dracula" was a Wallachian tribal chief who had little to do with Transylvania. His "castle" was outside Transylvania. For 14 years he was imprisoned by King Mathias of Hungary, who was the real ruler of Transylvania then. In that gilded prison, "Dracula" (this means Little Devil in Rumanian; his real name was Vlad Tepes, the Impaler) allegedly gave up his Byzantine Orthodox religion to become a Roman Catholic in exchange for his freedom. This was the worst of the sins that the Russian historian Kuritsyn (one of the first chroniclers of Dracula's cruelties) held against him; but then, Kuritsyn was the favorite chronicler of the immediate predecessors of Ivan the Terrible. The Russians did not like the Rumanians then and do not like them now, and the mistrust is mutual. The real trouble in Transylvania, however, is not between the Russians and Rumanians but, as we shall see, between Rumanians and Hungarians.

Transylvania is a beautiful region, a beautiful part of Europe. I write "part of Europe," because this is essential, the key to its history, to the very configuration of its landscape and of its shapes, of its colors and scents, and of the taxonomy of its flora and fauna, including the human fauna. Transylvania had its high Middle

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Ages, cathedrals, Cistercians, a whiff of the Renaissance, its Reformation, its Counter Reformation, its Baroque, its Enlightenment—the historical ages that made Europe, entire historical ages that did not exist in Russia or in Rumania, Moldavia, Oltenia, Wallachia, Bessarabia, Bulgaria, Serbia, Macedonia, Albania, Thrace, Greece, the Ukraine.

Before Vienna the Alps peter out. But there are other mountains in the old Austro-Hungarian Empire, the largest among them the Carpathians. They form three-quarters of a ring around old Hungary, fir-laden dark mountains, not as young as the Alps but not very old either, black-green with sunlit clearings, mysterious rather than ominous, sparsely populated even now. On the map they resemble a tightly coiled wreath of the hair of an Eastern European peasant girl, girding the Danube basin as the girl's hair engirds her head. Eleven hundred years ago the Magyars (a name that I prefer to Hungarians) came into that basin. Its eastern portion was the land of the forests, Transylvania, Erdely, Ardeal.

TO SUM up the history of Transylvania in a page, or even a dozen pages, is nearly impossible: it is one long series of exceptions. The Magyars were, and are, exceptions, in a sense that they do not belong to any of the principal European ethnic families they have lived among—Germans and Slavs and Latins; and the Székely, the main Magyar tribal people in Transylvania, were exceptions among the exceptions. The Rumanians, too, are exceptional people: they claim to be descended from the near-mythical Dacians and from Trajan's Roman legions, which is near-nonsense. What is not nonsense is that their language is clearly neo-Latin, though for long centuries the Rumanian script was Old Slavonic, and until nearly 200 years ago, the few Rumanian books were printed in Cyrillic. The Turks conquered almost all of the Balkans, including Wallachia and Moldavia (there was no "Rumania" then) during the 15th century. They conquered half of Hungary during the 16th. Yet they did not penetrate into Transylvania; the Magyars fended them off. On two or three occasions the hot rake of war ran up several Transylvanian valleys, and Turks and Tatars ravaged scores of villages, but for nearly two centuries Transylvania was something of an independent state, governed for most of that time by Magyar princes. Transylvania existed between East and West. Its status then had remarkable similarities to that of Finland since World War II. The rest of Europe noticed this, exercised by a recurrent fear of the Turks. As in the case of modern Finland, the civilization of Transylvania was remarkable: there was religious toleration, decreed in 1560, and for most of the time Catholics and Protestants lived peaceably together. (William Penn knew this: impressed by the extant example of religious toleration, his original idea was to name his American Quaker colony "Transylvania.")

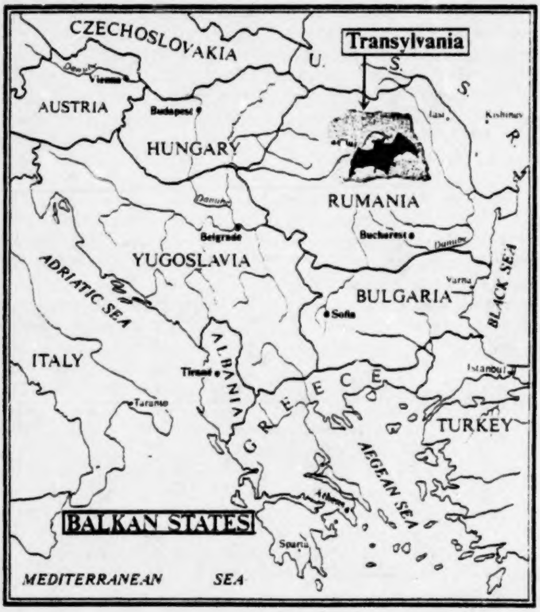
At the end of the 17th century the Turks left Hungary and the western fringe of Transylvania (though not Wallachia and Moldavia—that is, present Rumania). Transylvania reverted to a province of Hungary, which, in turn, was a semi-independent province of the Hapsburg Empire. The Rumanian population grew: Rumanians came through the mountain passes, getting away from the Turks, coming into that (often empty and open) land of the forests. In 1918, Transylvania, for the first time in its history, was given to Rumania—the gift of Wilson, Lloyd George, and Clemenceau, those pettiest and most hapless of the bourgeois statesmen of the 20th century.

There are now about 2.1 million Magyars in Transylvania, amounting to perhaps one-third of the population. The Magyars have not been a very prolific people. They are badly suppressed by the Rumanians. Before 1918 the Magyar treatment of the Rumanians was not exemplary either, but the present kind of suppression is different. There are relatively few political prisoners in Rumania now, but the secret police is ubiquitous, more ubiquitous than in any Eastern European country excluding the Soviet Union—and, as Rumanians themselves will tell you, the Soviet Union is not really a European country. The number of Magyar schools is systematically diminished by the government. The largest university, until recently bilingual, is now entirely Rumanianized. The Magyar faculties are gone, though here and there Magyar professors linger on. This is in Cluj-Napoca, the largest city in Transylvania, which was originally Kolozsvár in Magyar (Klausenburg in German), then it became Cluj in Rumanian, and lately it has been renamed Cluj-Napoca, a resurrection of a Roman place-name from the time of the Emperor Trajan. Official Rumanian propaganda and official Rumanian historiography claim that the Rumanians are direct descendants of Trajan's legions, which is as if Ronald Reagan were to declare his descent from Pocahontas. Yet many Rumanians have something mock-Latin about them; they are curiously reminiscent of the mock-European quality of Argentinians.

The broadcast and television slots allotted to the Magyar language on the Rumanian state network are distressingly brief, and hardly more than official Rumanian propaganda. The speakers and the interviewed and the musicians must identify themselves as "we Rumanians." In the predominantly, and sometimes purely, Magyar villages and towns, all of the inscriptions are in Rumanian—bilingual signs and directions are not allowed at all. Those Magyars who succeed in struggling up through the bureaucracy to acquire diplomas or qualifying degrees are given jobs in Wallachia, Moldavia, Oltenia, and Bucharest. There have been cases when patients in state hospitals in Magyar towns and with a Magyar staff were forbidden to talk to their doctors in Magyar.

On the Rumanian side of the frontier with Hungary, the wait is three hours. There are not more than seven or eight cars in line, but the hoods and the trunks have to be opened, the seats are pried apart, the luggage taken out and deposited on concrete slabs of benches. It is not my American passport that entitles me to a bit more courtesy from the Rumanian customs men, but the fact that I have only one piece of luggage; the other cars are crammed with people, children, and packages of food that they bring into Rumania. The Rumanian police are looking for foreign books, including books from Hungary, which are confiscated. I was warned about that in Budapest and left my books behind, but on top of my clothes there is an offprint of an article by a Magyar medievalist, printed in a German scholarly journal, about the commercial and diplomatic relations of the Caucasian principalities with the city-state of Genoa during the 15th century. The Rumanian customs people pore over this for 20 minutes, they take it into their booth, they study it. They return it to me, and one of them asks: "Where is this Georgia?" "A republic of the Soviet Union," I say. He is reluctant to believe me, but then he returns my passport and waves me on.

This is the frontier between two Communist states, two Eastern European states, two member states of the Warsaw Pact. The difference between them is enormous. Passing back into Hungary—and this is southeastern Hungary, a relatively poor portion of the country—I am instantly back in the West. The difference between Rumania and Hungary is much greater than that between "Communist" Hungary and "Western" Austria. This is not merely the difference between two states, but between two nations and two cultures—indeed, the deepest boundary is not on the map. It is unmarked and yet immediately palpable, there between peoples: the boundary between Roman Catholic Europe and Byzantine Europe, between Western Christianity and Eastern Orthodoxy. (The fact that many of the Magyars in Transylvania are Calvinist shows that in Transylvania the exception is the rule.)



MAP BY KENNETH GRADY FOR THE NEW REPUBLIC

I could regale my American friends and readers with stories about Rumanian corruption: the official who exchanges currency, but who wants a tip; the "luxury" hotel which has (finally) a bath, but which will not furnish a stopper for the tub except for extra consideration; the fundamental difference between the cleanliness of the places populated by Magyars and those populated by Rumanians. I won't continue, because my readers will already be saying that, of course, this writer is a Hungarian and that explains everything. I cannot help this. I am a Magyar but I am an American too, and I am writing for Americans. The most important thing in Transylvania, as perhaps everywhere else in the world, is this existence of deep national differences, something that is obscured not only by ideologues (including those of anti-Communism) and by their appalling ignorance of geography and of history, but by the dominant social-scientific pattern of academic and bureaucratic thinking that dismisses national character as a reactionary 19th-century myth.

What is happening in Transylvania (and what is happening to many other places in Eastern Europe) has little to do with Communism or anti-Communism. What is even more significant, it has almost nothing to do with the Russians. As a matter of fact, during the Russian occupation of Transylvania, the Magyar population was treated a little better; the Russian rulers wanted no trouble in that regard. As the Russian flood receded from Rumania the atavistic inclinations rose again, and the crude suppression of the Magyar population reappeared. The principal, and sometimes courageous, spokesmen for the Magyar people are members of the Rumanian Communist Party, who on occasion are persecuted and dismissed from their jobs.

Whether or not you are a Communist makes little difference in Transylvania. What counts is whether you are Rumanian or Magyar; or, to be more precise, whether you are anti-Magyar or pro-Magyar, regardless of your party membership, regardless even of your native language.

In many of the Magyar apartments and houses the radio is tuned to Budapest. The news from Radio Budapest does its little bit for pro-Soviet obeisances and propaganda, but for the Transylvania Magyars this hardly matters at all; it is so much more objective than the Rumanian radio. "Sometimes we listen to Budapest, sometimes to Radio Free Europe," they say. "It hardly makes any difference."

Rumania used to be the richest agricultural country in Europe. The American fliers who were shot down over Ploesti in 1943 and then parachuted in were amazed at how well they were fed. They were the only prisoners in World War II who gained ten to twenty pounds in one year of captivity. The Communist regime depleted the land. The oil wells, the largest deposits in Europe west of Russia, are running dry. The fields are speckled by children in blue smocks; classes in the fall are ordered out to gather potatoes. The state of the economy is as bad as Poland's. As in Poland, the shops are empty; people often do not bother to stand in line. In most restaurants there are no menus. The waiter will tell you what there is to eat, and the food is foul.

THE REGIME, however, is fairly solid and strong, and not only because of the secret police. In Rumania, not unlike the Soviet Union, the government is seen by the masses as a necessary evil, an unquestionable force of nature. The Rumanian government caters to mass sentiment by feeding it nationalism, suppressing the Magyars, and on occasion making sly references about the Russians. Thus the most rigid Communist regime in Eastern Europe is also the least pro-Russian one. The dictator of Rumania is Nicolae Ceauşescu, a former cobbler, whose wife and whose numerous relatives occupy dozens of the highest posts in the government. His private train has 12 cars. He had himself photographed with a jeweled scepter in hand; as well as standing over the carcasses of wild boars and bears which he shoots as they are driven before his august presence. He was also photographed dancing the Rumanian *hora* with Richard Nixon. The grinning, dark, and jowly faces of the Californian and Wallachian Presidents, both chief executives from the edges of civilization, oddly resembled each other.

The Eastern European landscape is now that of a valley where the flood and the fog are receding, and the ancient towers and turrets, broken and begrimed but nonetheless recognizable and standing, slowly emerge from under the fog. This devolution is promising and should not surprise anyone except for ideologues and theorists of international relations. Yet it is not as simple as that. In Russia, too, the towers and the turrets of Old Russia reappeared when much of the red chaotic fog of the Lenin-Trotsky years was wafting away. Yet in the streets of that Russian scene appeared not the New Soviet Man, but a people reminiscent of something old and dark, as was their leader, a new reincarnation of Ivan the Terrible. In Rumania, too, Ceauşescu is reminiscent of something old and rooted in the dark recesses of Balkan history, of those Wallachian and Moldavian *voivods* who knew the Byzantines and the Turks and how to get along with them or against them, depending on circumstances, people whose calculations of power were in their blood, and compared to whose life stories Machiavelli's *The Prince* was only an elegant theory spun out by a rationalist skeptic.

BUT DRACULA was not a Transylvanian, and Transylvania is different. There is the Saxon minority, for example. As early as in the 13th century, the kings of Hungary invited Germans to settle in Transylvania. The latter called themselves the Saxons. They were an early variant of the bourgeoisie; they built admirable and industrious lives in their towns. They lived a tight little existence, disliking the Magyars and despising the Rumanians. With the Reformation they discovered their German nationalism in an instant and became the grimmest Lutherans in all Christendom. Four hundred years later they were proudest followers of the Führer. As I drive through a village, a young boy in lederhosen, seeing my Viennese license plate, gives the Hitler salute.

All over Eastern Europe after World War II, the Germans were deported to Germany. The Rumanians did not deport them (though many of the Saxons left for West Germany through the years). An intelligent Rumanian told me several years ago: "Who knows? The Germans may become a great power again." There is that Hollywoodian witticism about the Hungarian who enters behind you in a revolving door and comes out ahead. Nothing could be further from the truth. Hungarians, with all of their talents, are the least able politicians. The political history of Hungary is marked by a series of disasters. It is the Rumanians who are masters at politics. Here are a few examples from our contemporary history.

To a certain extent, the modern Rumanian state had been a creation of France, but when France fell in 1940 the Rumanians turned pro-German more quickly, and more shamelessly, than any other state and people in Europe. Well before the Third Reich demanded compliance with "the final solution," the Rumanian Iron Guard hanged elderly Jews on butcher-hooks in the side streets of Bucharest. They murdered, among others, Professor Iorga, the nationalist historian, whose only sin was his Francophilia. (Before killing him they tore out his beard, hair by hair). Now, 40 years later, Iorga is respected anew; and some of the former Iron Guardist historians occupy chairs in the Rumanian universities. Marshall Antonescu, a Rumanian patriot of considerable character and stature, succeeded in crushing the Iron Guard with Hitler's tacit approval; as a matter of fact, Hitler respected Antonescu even during their last interview in August 1944, when Antonescu suggested to Hitler that Rumania must now follow her own interests. As early as 1943 the Antonescu government made all kinds of secret arrangements with American Jewish organizations. The awful pogroms, perpetrated by Rumanians themselves in 1940 and 1941, were forgotten; the time had come to curry favor with the winning side.

IN AUGUST 1944 the Rumanians executed the most successful *coup d'état* during World War II. With an entire German army in their midst, they turned around within 24 hours and proclaimed their alliance with the Soviet Union, Britain, and the United States. (Again the comparison with Italy is instructive: compared to this acrobatic feat, the descendants of Machiavelli were mere bunglers.) A few months later the Rumanians installed a pro-Soviet government in full compliance with Stalin's wishes. Stalin gave them their reward: all of Transylvania was put back under Rumanian administration, the way it had been under the Francophile kings and the capitalists of Rumania. And just as two, three, or six centuries ago the behavior of certain Wallachian chieftains was the surest indication whether Ottoman power in the Balkans was waxing or waning, Ceauşescu's gestures of independence from Russia, the first of which were made 17 years ago, indicated that the Russian influence in Eastern Europe was becoming less ubiquitous and fearsome.

It is because of this Rumanian political genius that the political future of my native people in Transylvania is largely hopeless. There may be an occasional member of Congress with Hungarian-American constituents who will insert an occasional item in the *Congressional Record*; there may be an article or two in *Le Monde* (for the first time in more than one hundred years, informed opinion in France is no longer one-sidedly pro-Rumanian); but a change in the Rumanian sovereignty over Transylvania, or that noble dream, an independent and autonomous Transylvania, is so remote that it doesn't even qualify as a possibility. The Magyar sovereignty is gone for good, and even some of its stones and turrets are destroyed.

I drove off on a side road to look at Bonchida, the baroque country house of the Bánffys, of the Transylvanian Magyar nobility (which was, with few exceptions, the most liberal and cosmopolitan of perhaps all Central and Eastern European aristocracies). They left in 1944. The Rumanians had gypsies settle in the house. I lived through the war in the middle of Europe, but I had never seen destruction such as this. Untouched by artillery or by bombs, the interior of the house has been scoured down to the bare brick, the very plaster scraped from the walls, and the Italian putti from the parapets smashed to pieces, lying in the rank grass. Unlike Dracula's "castle" (which the Rumanians have now built to attract American tourists—there is a "Dracula Tour," a Rumanian variety of Disneyland), places like Bonchida can never be restored.

YET HISTORY is unpredictable, which means that the texture of history changes. The obvious alternatives disappear, and new conditions arise, on another level. Culture is no longer a luxury, the possession of a minority; on certain levels of life it is replacing politics, and it becomes the precious possession of many, not only of a few. Life goes on among the Magyars of Transylvania, who are a bitterly serious people. They write their books (published in Bucharest, but published nonetheless) and they teach and they crowd their churches. Their presence, including their intellectual and spiritual presence, has not been eradicated. In the midst of this wretched Communist state the houses in the Magyar towns are restored and repainted; small municipal museums grow out of near-nothing, tended and arranged with infinite care.

When the long Transylvanian autumn and winter set in, a kind of decent 19th-century existence is palpably at hand, with stoves and larders, the Magyar teachers' houses with their books overflowing from room to room, and two big, healthy pigs scratching in the yard. It is a 19th-century existence because of the interior quality of this kind of life. Outside, Transylvania is dark. It is dangerous to drive after dusk, since the occasional ox carts and horse carts have no reflectors on their backboards; in the cities the streets are badly lit, because the electric current is poor and weak. The lights are pale, hardly flickering in the squares, reminiscent of a Central Europe sixty or more years ago. But in the sunny autumn mornings, the plane trees are drenched with gold and the cities are real cities, with people milling in the old streets, visibly propelled by the difficulties and by the purposefulness of everyday life. And thus certain things in these cities still breathe the life of decades ago, when Magyar (and sometimes Magyar-Jewish) geniuses took wings to fly to the greater world of Budapest and Paris. It was then, in the coffeehouses of Kolozsvár and Nagyvárad, the Baudelaireans and the folklorists argued and drank into the night, a Transylvanian night in which the coffeehouse smoke instantly wafted away in the clean dark air in the narrow streets, between the uneven rows of the yellow-stuccoed, one-story provincial houses with their earthy odors and sometimes erotic promises and the lone swaying electric tram car lighting up the cobblestones at the far end.

Yet though the cityscapes have changed in many ways, the landscape remains almost untouched. By September the grass is down, the large, unpeopled, and untended hills resemble the 19th-century deer park of a great Anglophile lord. There are lakes in the mountains, agate-pure, secretive, and calm in bowls of pine forests, without a single inn or a house or even a tourist tent nearby. And beyond the mountain ridges lie Moldavia and the snow, a different world of bearded priests and gypsies and Levantine merchants in their cordovan boots. Ancient roads and mountain passes, which were used by Transylvanian craftsmen to haul their boots and finished goods and furs to the markets, are still traversed now and then by bullock-carts, a truck passing them every five minutes or so. On the other [illegible] Moldavia, a mere one hundred miles further to [illegible] almost all of the roads peter out, disapp[illegible] the Russian frontier where the few cr[illegible] hundreds of miles apart. It is as if R[illegible] we[illegible] ds of miles away; as if the Rus[illegible] had [illegible] here.

SO TH[illegible] and the bitter end of Europe, [illegible] erts, rich with its past, and wher[illegible] not only in the remaining hous[illegible] ceilinged rooms and tile stoves, but [illegible] and the hearts of the people.

[illegible] George Orwell's *Nineteen Eighty-Four,* Winston Smith, on one occasion, secretly and daringly offered a toast "to the past." In darkest Transylvania, as 1984 approaches, such a toast would be as out of place as a toast to Dracula. There the past is real. It illuminates the everyday necessities of life; it is the living hope not only of the oppressed Magyars but of those younger Rumanian writers and thinkers who, perhaps for the first time since the Turks, have something in common with the Magyars. They, too, despise the police state, the mechanical surveillance, and the senseless acres of chemical factories in the valleys of Transylvania, spewing sulphurous yellow and scarlet fumes into the air. The Russian flood is retreating, one day the Communist state will be gone, and when that miasmatic fog had lifted perhaps the multifarious people in the streets and squares of Transylvania will not be condemned to repeat the past, precisely because they, unlike the Russians, have learned to know it. There will be no place for petty Draculas in Transylvania. They will take their vampirish flight to Hollywood, to those Californian castles where they belong.

Chairman GIBBONS. Thank you, sir.
The next witness is Mr. Crossley.

STATEMENT OF JOHN CROSSLEY, DIRECTOR, EAST WATCH INTERNATIONAL, ERWINNA, PA.

Mr. CROSSLEY. Last year at this time, I had the opportunity to present testimony on behalf of the Romanian Christian Committee for the Defense of Freedom of Religion and Conscience [ALRC] and to make the recommendation that MFN status to Romania be denied due to the tighly repressive internal policy of the Ceausescu regime.

This policy was reflected in many serious and tragic violations of human rights throughout the year 1981, and now as director of the Human Rights Monitoring Group, East Watch International, I would like to report that our research indicates that such cases have actually increased in the first 6 months of 1982.

Our case list, which is annexed to this text, cites numerous instances of emigration harassment, including the arrest and imprisonment of some individuals directly stemming from their attempt to obtain permission to emigrate.

We have also seen a serious campaign of religious discrimination continue into this year with the closure of churches, the imprisonment of Romanian citizens who sought to monitor human rights violations in Romania, and the expulsion from the country of U.S. citizens who sought to enter into contact with these people in order to ascertain the validity of reports reaching the West.

Another aspect of concern is the fact that the Orthodox priest, Father Gheorghe Calciu, who was sentenced to 10 years in prison in March 1979 for his human rights activities, remains in prison despite agreements by the Romanian Government last year to work toward his release.

I believe that section 402 of the 1974 Trade Act is clear in stating that its intention is to "promote fundamental human rights" in Romania and that the means by which this is accomplished is through the requirement of a policy of free emigration.

Due to the Romanian record in this area, I would recommend that the Congress reassess its view of what a policy of free emigration truly entails. The Romanian Government has been getting a clear signal that in the final analysis a cyclical increase in the emigration level is all that is required of them.

The fundamental issue of human rights continues to be ignored by the Romanian Government, and, in fact, the existence of a larger number of known prisoners of conscience in Romania today over and against last July, indicates that the extension of MFN status to Romania is failing to obtain one of its most basic objectives. Because of this, I believe that such preferential treatment be denied to Romania until the following conditions are met.

First. The release of all prisoners of conscience and especially Father Gheorghe Calciu and the others on our list.

Second. The release of all people imprisoned for applying to emigrate, such as Paul and Gheorgetta Dragu of Tirgiu Jiu—see list.

Third. The end of the campaign of intimidation against pastors and other religious leaders in Romania carried out by the security police through the church hierarchy and the Department of Cults, specifically in this case the difficulties of Pastors Ioan Steff and Benjamin Cocar of Medias, Pastors Talos, Geabeu, Sarac, Brinzei, and Cocar of Bucharest and the Priests Viorel Dumitreascu and Father Avramescu of Lugoj.

Fourth. The removal of all preapplication requirements and other hindrances to the basic emigration process. The average time for completion of the entire process should not exceed 3 months.

Fifth. A return to the preexistent levels of emigration for Jews wishing to emigrate to Israel and a drastic reduction of the case backlog.

Sixth. The end of the harassment of Western visitors who attempt to enter into contact with Romanian citizens reported to be suffering violations of their civil or political rights.

I find this last one to be something that has greatly increased in just the first 6 months of this year.

Thank you very much.

[The prepared statement follows:]

STATEMENT OF JOHN CROSSLEY, DIRECTOR, EAST WATCH INTERNATIONAL, ERWINNA, PA.

Mr. Chairman, members of the Committee. Last year at this time I had the opportunity to present testimony on behalf of the Romanian Christian Committee for the Defense of Freedom of Religion and Conscience (ALRC) and to make the recommendation that MFN status to Romania be denied due to the tightly repressive internal policy of the Ceausescu regime. This policy was reflected in many serious and tragic violations of human rights throughout the year 1981, and now as Director of the Human Rights Monitoring Group, East Watch International, I would like to report that our research indicates that such cases have actually increased in the first six months of 1982. Our case list, which is annexed to this text, cites numerous instances of emigration harassment, including the arrest and imprisonment of some individuals directly stemming from their attempt to obtain permission to emigrate.

We have also seen a serious campaign of religious discrimination continue into this year with the closure of churches, the imprisonment of Romanian citizens who sought to monitor human rights violations in Romania, and the expulsion from the country of US citizens who sought to enter into contact with these people in order to ascertain the validity of reports reaching the West.

Another aspect of concern is the fact that the Orthodox priest, Father Gheorghe Calciu, who was sentenced to 10 years in prison in March of 1979 for his human rights activities, remains in prison despite agreements by the Romanian Government last year to work toward his release.

I believe that section 402 of the 1974 Trade Act is clear in stating that its intention is to "promote fundamental human rights" in Romania and that the means by which this is accomplished is through the requirement of a policy of free emigration. Due to the Romanian record in this area, I would recommend that the Congress reassess its view of what a policy of free emigration truly entails. The Romanian Government has been getting a clear signal that in the final analysis a cyclical increase in the emigration level is all that is required of them. The fundamental issue of human rights continues to be ignored by the Romanian Government and in fact the existence of a larger number of known prisoners of conscience in Romania today over and against last July, indicates that the extension of MFN status to Romania is failing to obtain one of its most basic objectives. Because of this I believe that such preferential treatment be denied to Romania until the following conditions are met.

1. The release of all prisoners of conscience and especially Father Gheorghe Calciu and the others on our list.
2. The release of all people imprisoned for applying to emigrate such as Paul and Georgetta Dragu of Tirgiu Jiu (see list).
3. The end of the campaign of intimidation against pastors and other religious leaders in Romania carried out by the Security Police through the church hierarchy and the Department of Cults, specifically in this case the difficulties of Pastors Benjamin Steff and Benjamin Cocar of Medias, Pastors Talos, Geabeu, Sarac, Brinzei,

and Cocar of Bucharest and the Priests Viorel Dumitreascu and Father Avramescu of Lugoj.

4. The removal of all pre-application requirements and other hindrances to the basic emigration process. The average time for completion of the entire process should not exceed 3 months.

5. A return to the pre-existent levels of emigration for Jews wishing to emigrate to Israel and a drastic reduction of the case backlog.

6. The end of the harassment of western visitors who attempt to enter into contact with Romanian citizens reported to be suffering violations of their civil or political rights.

NEWS UPDATE MAY 28, 1982, ROMANIA—URGENT CASES FOR IMMEDIATE ACTION

1. Emigration harassment
2. Imprisonment resulting from application for immigration.
3. Religious discrimination and imprisonment for religious convictions.

1. Father Gheorghe Calciu—Greek Orthodox professor, arrested in Bucharest on March 10, 1979, sentenced to 10 years in prison. Father Calciu was very popular with the Orthodox young people and helped draft the original document of the "Free Trade Union of Romanian Workers" (S.L.O.M.R.) He is in very bad health.

2. Paul Dragu and family—Paul Dragu applied for emigration from Romania in 1980 after his family suffered from religious persecution. When he was given the final application for a passport, he gave the customary notice at his job only to be arrested along with his wife Georgetta and sentenced to 6 months in prison for parasitism. His wife suffered a nervous breakdown under interrogation and was placed in a psychiatric hospital. Prisoners released from the prison where he was kept reported that he was severely beaten and they doubted he could survive. His situation is extremely critical.

3. Klaus Wagner—Klaus Wagner, a Christian from the Brethren Church, was responsible for receiving and distributing large quantities of religious literature from the West. He was arrested on October 10, 1981, at his home. His wife, Katarina, and small children were forced to witness a violent house search. Klaus Wagner was beaten and tortured with electric shocks to divulge the names of other Christians working with religious literature. He was sentenced to 6 years in prison and is now being held in Bucharest. His home address is: Str. Mihai Emenescu Sighisoara, Jud Mures, Romania.

4. Maria and Fibia Delepeta—25 and 28 year old sisters from Carpinis, Romania. Members of the Evangelical Orthodox group known as the Army of the Lord. Arrested and sentenced to 5 years in prison at Turnu Severin for their assistance of Klaus Wagner in the distribution of religious literature. No relatives were allowed at the trial and conditions for the two girls are thought to be very bad.

5. Dr. Silviu Cioata—Ploesti—Sentenced to 5 years, 3 months for distribution of Bibles. None of the Bibles were ever sold. They were received free of charge from concerned Christian organizations and given to those who wanted them.

6. Mircea Cioata—Brother of Dr. Cioata. Sentenced to 5 years, 3 months for distribution of Bibles.

7. Hans Holzman—Brasov—Sentenced to 5 years, 3 months for distribution of Bibles and other religious literature.

8. Costel Georgescu—Ploesti—Badly beaten at time of arrest, sentenced to 6 years for distribution of Bibles.

9. Ion Teodor—Sentenced to 5 years, 3 months for distribution of Bibles.

10. Petre Furnea—Ploesti—Sentenced to 5 years, 3 months for distribution of Bibles.

11. Ion Raceala—Slobuzia—Sentenced to 5 years, 6 months for distribution of Bibles.

12. Traian Dors—Beius—One of the original founders of the Army of the Lord. Traian Dors was released from prison in 1964 after serving 17 years in prison for his faith. He now awaits trail for possession of large quantities of Bibles and other religious literature.

13. Daniel Pausan—Evangelist from Baia Mare, Jud Maranoves. Thrown from a train by security agents in July, 1981. Constantly harassed for his Christian work.

14. John Teodosiu—Cluj—John was arrested and tortured in December, 1981, for informing the West about Romanian human rights violations. John was released from prison on March 8, 1982, due to strong western pressure. His brother, Sabin Teodosiu, was refused entrance to the Baptist Seminary in Bucharest and was then killed by the Security Police in June, 1981. John reported the death of his brother to Radio Free Europe, at which time he was fined nearly 6 months wages. John had

applied for emigration in 1981 but was refused. He has still not been granted exit visas for he and his wife, Ligia.

15. Iela Petru—Caransebes—Married with two children. Applied for emigration in December, 1978, was denied a passport, and has been harassed by police ever since.

16. Ploscariu Zaharin—Motru—Former decon of the Motru Baptist Church, which was destroyed by the police. He applied for permission to emigrate in 1979 but was denied a passport and harassed.

17. Antone Nicolae—Now lives in the United States in Oakland, California. Antone has made repeated appeals to the Romanian government to allow his wife and family to emigrate. They have applied for passports since 1978, but have all been denied.

18. Antone Gheorghe—Timisoara—33 years old. Married with 5 children. Antone was sentenced to 6 months in prison as a "dissident" after applying for permission to emigrate.

19. Antone Avram—age 22 and his brother . . .

20. Antone Benjamin—age 20—both sentenced to prison after attempting to cross the Romanian border without a passport. They had applied for passports in 1978, but were denied and harassed.

21. Silvia Tarniceru and Helena Boghian—Arrested and sentenced to 1 year and 6 months in prison for attempting to leave Romania without a passport. They were released from prison after serving only 6 months but suffered greatly under the harsh conditions. They first applied for passports in 1979, but were thrown out of the passport office and threatened with the loss of their jobs. Both girls were very active Christians in the Iasi Baptist Church.

22. Professor Baros Petru—Wife and 6 children. Dismissed from his job as Director of the Gelu General School when he applied for permission to emigrate.

23. Traian Bogdan Nicolae—Timisoara—Traian Bogdan was affiliated with the S.L.O.M.R. and is a member of the Christian Committee for the Defense of Freedom of Religion and Conscience. On May 3 the Romanian Security Police conducted a brutal house search, smashing in the front door, arresting Elena Bogdan, and confiscating all papers, books, cameras, etc. Elena was interrogated long into the night and the following day. Traian, who was not at home at the time of the raid, was also taken into custody. Neither Traian or his wife have been seen by friends or family since May 4, 1982.

24. Pavel Bradeonu—Baptist from Inev-Arad. Sentenced to 5 years in prison. Undisclosed charges.

25. Father I. Godo—Catholic Priest accused of maintaining contacts with foreigners. Sentenced to 4 years in prison.

26. Costache Ioanid—Well known Romanian Christian poet. Applied for emigration for he and his wife for a number of years. His wife died in 1981, and he now has sponsorship in the state of Idaho. He still has no official permission to leave.

27. Daniel Brinzei and his wife Daniela—Daniel Brinzei is the son of a well known Baptist pastor in Bucharest. After graduating from the Baptist Seminary, he was denied a position as a pastor and sought to emigrate. He was denied a passport and neither he or his wife have been able to find work. They both fear arrest on grounds of parasitism. His wife is reported to be very sick. Daniel has recently been threatened with an investigation of his association with western Christians.

28. Reverend Vasilie Brinzei—Father of Daniel Brinzei and one of the five Romanian pastors being slandered by the official Romanian newspaper for alleged irregularities in church finances. Reverend Brinzei, along with pastors Sarac, Talos, Geabau, and Cocar, all of Bucharest, were accused of using church money with only the permission of their congregations and not the Department of Cults. Article #25 of the Baptist Union Constitution states that the congregation decides what to do with the finances and the constitution was ratified by the government. The problem is seen to be an attempt by the government to exercise control of the Baptist Church through the Department of Cults, which is calling for the arrest, fining, and imprisonment of these pastors.

29. Family Pitian—Ille Pitian and his wife and 5 children applied for emigration in 1978 at which time Ille was expelled from his work and forced to work at very low paying jobs. He was moved into a small apartment in Iasi, Romania, which has only a partial roof and he could not make enough money to support his family. When his wife required a blood transfusion during the delivery of a child, she was refused the blood on the grounds that "God should help her" or "The US Government." They have not yet been granted the secondary passport applications.

30. Liviu Capusan—Cluj—Father of Radu Capusan, the former spokesman for the A.L.R.C. Liviu Capusan has applied for emigration and has faced daily harassment. He was told by the police that he "would never see his son again." Radu Capusan

now lives in California, where he carries out extensive research on Romanian human rights violations.

SPECIAL LIST FOR EMIGRATION

1. Guirgui Gavirila—Baptist who wants to emigrate, Bistritei 26, Cluj, Napoca 3400, Romania.
2. Ioanid Constantin, Poterasi #20, Bucharest, Romania.
3. Bunica Mose, Susana (Pentecostal), Joseph, Eve (son and daughter), Coerul Cosminului Nr. 28, Brasov, Bk. 403, Apt. 20.
4. Arbleanu Constantin, Str. Alexandre Nr. 17, Bucharest, Romania.
5. Blaj Typus, Basaradi Nr. 6, Constanta, Romania.
6. Podoiu Gheorghe, Alea Constinesti Nr. 1, Bucharest, Romania.
7. Peana Pavel, Str. Trompedului Nr. 125, Bucharest, Romania.
8. Philip Magda, Str. Piatra Craiului Nr. 1, Bucharest, Romania.
9. Cret Pavel, Str. Oltului Nr. 19, Sebes, Jud Arad, Romania.
10. Ilie Pitian, Str. Vite Jilor Nr. 12, bl. 8 Et 4 Ap 3, Cart, Dacia 11, Iasi, Romania.
11. Gabriela Corbutiu, Intrarea Mihnea Voda 9, Bucharest, Romania.
12. Restea Matei, St. Anghel Saligny, Nr. 10, 1900, Timisoara, Romania—Neoprotestant Christians who filled out their petition to leave Romania to come to the United States four years ago. The Romanian authorities constantly refuse them, and recently, three different times, their windows have been broken by the Secret Police.
13. Flentea Saul, St. Invoirii, Nr. 20, sector 4, Bucuresti—75232. Romania—Due to his faith he was persecuted in school, and presently on the job. For the past two years he has received only negative answers to his request to emigrate to the United States.
14. Stan Ion, St. Ana Ipatescu Nr. 52, Craiova—1100, Romania.
15. Tomici Lidia and 1 child, Str. Cehov Nr. 35, Timisoara—1900, Romania.
16. Dinca Nicolaie and family, Com. Marginentii de sus, Olari, Jud. Dimbovita, Romania.
17. Tinca Petre and family, Com. blejoi sat Ploiestori, Jud Prahova, Romania.
18. Tudorache Nicolae and family, Apt. 76. sector 3, 1918, Nr. 20, Bl. Z 12, sc. 6, Bucuresti, B-dul 1 Decembrie, Romania.
19. Ierimia Maria, Constanta—8700, Str. Valea Alba Nr. 38.
20. Boros Gheorghe and family, Oradea, Str. Ostasilor, Bloc X 9, sc. B.
21. Sinca Slavco and family, Loc. Giroc Cod 1913, Str. Timis Nr. 76.
22. Costiuc Dumitru and family, Com. Avrig jud. Sibiu, Str. Noua Nr. 10.
23. Costiuc Samuel and family, Com. Avrig jud. Sibiu, Str. Noua Nr. 10.
24. Muresan Anuta, Sibui—jud Sibui, Str. Pasajul Scarii Nr. 2.
25. Dumitru Pavel and family, Constanta—8700, Aleea Fragilor Nr. 4 bl. P3, Sc. B. et. 1. Apt. 28. Tomis N.
26. Obeada Simion and family, Constanta—8700, Aleea Malinului Nr. 2 Bl. B 9, Sc. C. et. 4 Apt. 57.
27. Vizitui Emil and wife, Craiova, cartier Valez Rose, Bl. 3, Sc. C, Apt. 18, et. 4.
28. Bucur Teofil, Ploiesti—2000, Str. Armas, Nr. 46.
29. Moise Gheorghe, Breaza, jud. Prahova, Str. Putna Nr. 24.
30. Ionita Pavel and family, Ploiesti—2000, Str. Ch. Dimitrov Bl. 73, Sc. D, Ap. 56, et. 3.
31. Jalonschi Horatiu and family, Ploiesti—2000 Ap. 43, St. Industrei, Bl. 6B, Sc. C. Nr. 59.
32. Lazar David and family, Ploiesti vest, Bl. 136, Ap. 27, et. 7, St. Aleea Bahluiului.
33. Iasnic Corneliu and family, Ploiesti—2000, st. 23 August Nr. 151.
34. Barcan Aurel and family, Craiova—1100, St. Ana Ipatescu Nr. 52.
35. Bucur Claudius and family, Ploiesti—2000, St. Armas Nr. 46.
36. Nastase Gheorghe and family, Ploiesti—2000, St. Gageni Nr. 28.
37. Tigan Veronica and family, Timisoara—1900, Calea Girocului Nr. 27, Sc. 1, et. 3, Ap. 14.
38. Lungu Anisoara and family, Timisoara—1900, Calea Girocului Nr. 27, Sc. 1, et. 3, Ap. 14.
39. Lauko Wilhelm and wife, Timisoara—1900, Bul. B.P. Hasdeu Nr. 4 Ap. 1.
40. Gabriel Culea, Constanta—8700 St. Hatman, Luca Arbore Nr. 38.
41. Varvara Ieremia and children, Constanta—8700, St. Comarnic Nr. 57.
42. Cimpoies Petrica, Constanta—8700, Bl. 23B, Sc. B, Et. 1 Ap. 25, Aleea Umbrei Nr. 7.

43. Muresan Augustin and family, Salau, jud. Salaj, St. Porolissum Nr. 16.
44. Ilcau Mihai and family, Timisoara—1900, St. Albinelor, Nr. 107.
45. Ilie Nicolof Dumitru and family, Bucuresti—75524, sector 4, Aleea Cricovul Sarat, Nr. 9, Bl. N27, Sc. 3, Et. 2, Ap. 37.
46. Acatrinei Victor and family, Cimpia Turzii—Cluj.
47. Pauliuc Ioan, Str. Constantin Hurmuzache Nr. 1B, Bicc I. V. 26 Sc. B Etaj Ap. 13, Constanta, Romania.
48. Raveica Emil and family, Mitropolit Dosofti 47, Bucuresti, sector 5, COD 75216, Romania.
49. Tudose Cornel and family, Str. Ghe, Dumitrov Nr. 25, Etaj 1 apart. 10, Iasi, COD, 6600 Romania.
50. Velici Vasile, St. Canal Bega N 3, Timisoara, Romania.
51. Reverend Ioan Capota and family, Loc. Gurahont, Arad, Romania.
52. Puica Daniela and family, Str. Ghiba Birta, HR 23 Bl. 1 ap. 13, Arad—2900 Romania.
53. Sporea Ioan and family, Bulevardul, Muncii Nr. 14, Apt. 7.
54. Costin Floarea, Sc. A Apt. 7, Str. Negoiu 25, Timisoara, Romania.
55. Costin Maria, Comlosul Mare Nr. 1140, Judet, Timisoara, Romania.
56. Grigoriu Mariana, Str. Tutora Nr. 7, Bl. E 3 Scara B, Etaj Apt. 19, Judet, Iasi.

The following are professional people who have had very serious difficulties after apply for permission to emigrate:

57. Auriel Popescu, Str. Busuiocului #6A, Sec. 5 Bucharest.
58. Costica Tanjeala, Blv. Dacia 11, Sect. 1 Bucharest.
59. Ioan Dragilescu, Str. Rusu Girianu 13, Sect. C Apt. 1, Timisoara 1900.
60. Prof. Stauceanu and family, Str. Tresei No. 1, Blk. 28 Bucharest.
61. Teodoriu Gheorghe, Blvd. Indepence 51D, Blk. 19 Egage 1, Apt. 9 Targo Viste.
62. Curtean Isaiah, Cartier Hipodrom, Blc. R Apt. 21, Sibiu.
63. Tutu Petru, Josef Ranghets Nr. 60, Timisoara.
64. To[illegible]a Petru, Nicoleai Bulcescu Blk 6 SCE, Apt. 27, Pitesti.
65. Radutiu Auriel, Str. Lupeni 51, Sibiu.

Chairman GIBBONS. I thank you, and I notice that both of you gentlemen have much longer statements. I appreciate you summarizing them. They, of course, will appear in the record, and I realize one of you has represented large committees involved in this.

Have either one of you traveled in Romania?

Mr. HÁMOS. I have traveled there on three occasions, first in 1965, then in 1972, and in 1975.

Chairman GIBBONS. Are you allowed to move freely around the country, or are you under any kind of restraint?

Mr. HÁMOS. On the last occasion—I went in 1975—I was able to move relatively freely. However, since I have been active in my organization, I have not gone to Romania, so I have not had any experience with harassment.

Chairman GIBBONS. You mentioned under item 4, specific elements of repression of minorities of Romania. Lack of bilingualism? What do you mean by that?

Mr. HÁMOS. It involves a whole group of violations, one of which consists of the removal of bilingual street signs in Hungarian-Romanian communities. It involves the inability of Hungarians to communicate in their language in public offices, in areas where Hungarians live in large numbers.

It involves in some cases, one recently reported by Prof. John Lukacs, who visited Transylvania, the inability of the people, old ladies, for example, to speak with their own doctors, because they are relocated out of their own ethnic communities, and Romanians are relocated into the Hungarian communities. So it is a whole group of violations consisting of an effort to limit bilingualism in Romania, and I am talking about areas where large concentrations of Hungarians live.

Chairman GIBBONS. If Romania extended free right of emigration to all of its citizens, would you still oppose the use of MFN for Romania?

Mr. HÁMOS. The problem for Hungarians and perhaps other minorities in that country would not be solved by the granting of the right of free emigration. For one thing, there are simply too many Hungarians there to consider all of them emigrating, but, more importantly, this is their homeland. This is the country where their ancestors have lived for 10 centuries, and it is not a sufficient solution that they be allowed to leave that country.

Chairman GIBBONS. I thank both of you.

Do you know if Mr. Nightengale is here?

Mr. HÁMOS. I don't know.

Chairman GIBBONS. We will accept Mr. Nightengale's statement. I will ask the staff to review it and also review the statement and see if there is some of it that we would not have to print. It looks like it is very voluminous, and it may not be directly relevant to our hearings; so I will leave that to the decision of the staff, the decision as to whether to put all of the statement in, or clear it with him.

[Mr. Nightengale withdrew his statement.]

Mr. CROSSLEY. Would I be free to comment concerning travel?

Chairman GIBBONS. Yes; certainly.

Mr. CROSSLEY. My last trip occurred in 1979, at which time I met the Orthodox preacher Calciu in Bucharest, who was working with a group of men establishing a free trade union, and he was arrested less than a week after my departure.

He had given me the free trade union document when I left the country. He was tortured for 4 days and 4 nights, and he was forced to sign an affidavit that I had taken the document out of the country. Other people that were arrested at the time were shown the document with my name and my passport number and everything on it, and, without exception, they were told that if I returned to Romania, that they would arrange an accident for me, or something to this effect, and I received phone calls from Romania, phone calls from people in Europe and other areas, saying do not go back to Romania, because they were looking for me.

If a policy of free emigration were in existence, if there was such a thing occurring in Romania, if people were truly free to emigrate as they wished, it would be a tremendous thing, because it would show that there was an actual difference in the ideology that is causing the problems that exist there now. The basic Marxist atheistic philosophy that the regime is in ownership of the people of their country is the one that makes their emigration so difficult and causes the violation of human rights.

This is the central problem. I think that if you had the one, you would see the other, and that was the whole purpose of this Jackson-Vanik amendment, to begin with, so you are dealing with a deeper issue than just emigration. You are dealing with basic and fundamental human rights, and if the emigration situation would change, I do believe the other would change, also, but I don't foresee that happening through the vehicle of MFN status to this point.

Chairman GIBBONS. Why would any country want within its borders people who did not like the country, perhaps would not carry their own fair share of the burden of the country? I can't understand why they would want them.

Mr. CROSSLEY. It is an exercise of power on all levels of the government.

I had friends that worked in central Transylvania, in factories and co-ops, and at the time of their independence celebrations, and things of this nature, they were given plaques and told that they were going out to march in the parades, and hundreds of people were given the plaques, and they would go out into the streets and parade down the streets, and if they did not march in the parades, they stood a very good chance of either being demoted or losing their jobs.

Loss of jobs would mean parasitism and possible arrest. I have seen people discriminated against. There is a deep feeling of discrimination against neo-protestant Christians and, evangelicals. At their place of work, or meetings, they are asked do you pray? They are expelled from universities——

Chairman GIBBONS. I can understand that that goes on. I don't understand it. Why would anybody, whose country is in economic distress, has too many mouths to feed, want to keep people inside of its borders who are not eager to carry on their responsibilities? Why would somebody want that?

Mr. CROSSLEY. My personal opinion is that it is inherent in their basic philosophy of atheism and Marxism, where the regime, itelf, becomes God, and exercises ownership over the people.

That is the only answer that I can come up with.

I traveled to Romania every year for 7 years, up to four times a year, and I have talked to professors, to students, workers, people at all levels of society, and they feel that it is basically a problem with the mentality of the regime, and their basic philosophy.

Chairman GIBBONS. Does the average Romanian citizen support his regime in that regard?

Mr. CROSSLEY. I did not hear your second word.

Citizen?

Chairman GIBBONS. Yes.

Mr. CROSSLEY. No. That is the subject of more jokes. They keep their sense of humor by telling jokes about the regime.

Chairman GIBBONS. We do the same thing here.

Mr. CROSSLEY. The humor is a little blacker.

Chairman GIBBONS. We have been doing it here for 200 years.

Mr. CROSSLEY. They have 10-year jokes, 5-year jokes, and 15-year jokes.

Chairman GIBBONS. OK.

Well, it is a mystery to me. I can't understand, and I am very dissatisfied with the progress that has been made in this.

Thank you very much.

Next we will have Mr. George Crisan, Mr. Lucaciu, and Mr. Pascu.

STATEMENT OF GEORGE CRISAN, COUNSEL AND EDITOR, THE CHRISTIAN

Mr. CRISAN. I practiced law in Romania for 20 years; with the U.S. Government, my new adoptive country, for 23 years. Now, I am counsel for a Legal Aid Society, privately sponsored, here in Maryland.

It is my privilege to testify before you and your committee in supporting the Presidential recommendation to extend the Most Favored Nation clause to Romania once again.

As I concluded in my statement, which is in writing and only one page, we do favor, my organizations, for which I am the counsel, we support the extension, and we recommend to be extended on the specific matter which you Your Honor, again and again inquire about, not to extend or to extend.

I am the type of fellow who fled Romania, made it through the skin of my teeth in 1948, and I arrived in Paris with nothing, and I came to America 1 year later, and I made it good in this most wonderful country with opportunity for all who want to do something. I am very happily married. My children were the top of the crop wherever they went.

With that in mind, why do we support the extension? I was a Baptist in Romania before the second World War, and we were persecuted badly, and my father, when he became a Baptist after he was the mayor of the town, was again and again and again for many years thrown to the court because someone came to his house and sang or read from the Black Book—that is the Bible.

I am a man of 75 with experience of good and bad. I really don't know when it was worse in Romania than today.

The Byzantinism in bureaucracy was there when I was a lawyer in Romania. It may be worse now because everybody fears everybody. At that time I didn't fear; and I was told, 2 years ago, when I went to Bucharest: "Well, George, at that time we could curse, we were able to curse one another. Now we cannot, because we are put in jail."

There is another matter which may cause us to ask for this extension. We made a very nice rapprochement with the Romanian Baptist people in Romania, and we exchange year after year some delegations; they came here, and they saw America, and we went there and we saw them and tried to encourage them in their plight, and their plight is not only of the Baptists, but of the Orthodox church, too. Yes, the Orthodox, of course, now scream harder than ever because they are not any more a national church.

They are treated under the constitution of Romania as any other denomination like Pentecost or Baptist.

Through the Baptist World Alliance which is a worldwide association, we never advocated the underground movement or to carry literature in Romania or in other countries behind the Iron Curtain. We did not advocate this, because we do not want to put in danger our people there, our Baptist fellows there.

We heard, and we were in the House yesterday afternoon, testimony saying that the people are thrown in jail. Maybe so, because the law is very harsh against any subversive literature, be it the Bibles or anything else. The law so provides. Of course, they can apply whatever penalty they want, and I am quite familiar with the terrible harsh sentences against such crimes.

I was personally interested to bring to Romania 150,000 Bibles, and I negotiated with the officials from the Romanian Embassy here, and I was a friend of each of the Ambassadors, except the one who is now the new one, whom I have not yet had the pleasure to meet, and we agreed, and I realized that they were in business. In Romania, everything is operated by the government, by the state.

Therefore, when someone privately sells or gives a Bible to someone else, he trespasses, and violates a law.

This is difficult for you and everybody here in America to understand.

I lived under the Communists. I was deprived of everything. My factory, my office, my profession were taken from me. Why so? Because some time ago I spoke against the Communists, namely in 1945, when my party friend was killed by the Communists. I raised my voice—I thought it was a modest voice—but that made me understand many things, that now a change came.

Romania was under foreign occupations for 2,000 years or something like that. Now it is just another occupation and another government, it is not Romanian Government.

What else then? How come I advocate for extension?

Is it better to the Romanians to go in the hands of Russia or not? It is the Romanian people for which we advocate. They have Western feelings; they look at us for help.

The Communists have a hand over the country, the Russians are not there; but we believe the U.S. Government has a philosophy, and I would say a good philosophy, that is not to leave this friend as weak as it is, to go back in the socialistic bloc.

After 2½ years my effort on behalf of my brother succeeded, and 2 weeks ago my brother came to the United States. As your Honor said, probably we have to work harder on such matters.

Practically all the Presidents, since I am here in America, have said that every generation has to fight for their rights, for their freedom.

It seems to me that my brother fought there in Romania, and he was demoted and his wife was ousted from the service or job, and so were many others who apply for passport, but those who apply for passport and went again and again to the Romanian authorities, eventually came here.

I lived in Romania from 1907 until 1948, and it was even worse. Your Honor, this is my conclusion, that it is my very best understanding that there is a Romania, and it should not be thrown into the hands of the big Russian Bear.

I talked to the Ambassador of Romania, why is it so difficult? I was told that the local authorities have all the power, so it was in the past, an incredible Byzantime bureaucracy. The same thing seems to me to be prevailing in Romania today, too.

Thank you, Your Honor.

Chairman GIBBONS. You said your brother is out now?

Mr. CRISAN. He is out now.

STATEMENT OF REV. A. S. LUCACIU, PRESIDENT, ROMANIAN-AMERICAN BAPTIST FELLOWSHIP, AND REV. DANILA PASCU, DIRECTOR, ROMANIAN RADIO HOUR

Mr. LUCACIU. Realizing shortness of time, I yield in favor of what Mr. Crisan has said a moment ago.

Mr. PASCU. Mr. Chairman, I lived in Romania until 1939. I went to Romanian schools and to the Hungarian schools.

In the village where I grew up, there were four nationalists, Romanians, Hungarians, Germans, and Serbians.

There wasn't any day or week when we did not have fights with one or another, so that those things that still happen there are not new things.

The Baptists, they were persecuted since they started their history.

In 1920 my father was taken to jail. Before I came to America, I was taken to jail, not by the Communists, but by the people who were ruling there in the Parliament.

No one lifted one hand to help us. In 1939 when I came, the last day, the war broke out and I couldn't go back. When I left Romania before the first war, all the Baptist churches were closed, not by the Communists, no. They were closed with influence of the dominating church.

Now, it is not right to accuse the government of everything. They could not do everything, but what I said, I grew up among the people there, they had their customs, and they had their good sense, and they lived to make a good Romania today.

I intervened to bring my brother who was a minister in Romania, and in 1965 he was here. He established a new church in New York. He passed away. He went to be with the Lord in 1981.

I brought a young man for my daughter to get married, an engineer in 1970. It was hard there to do it. Today, let me tell you that in the last 10 years that my church has grown more than 100 percent. By whom? The newcomers.

At the beginning we had hardships but now thank God, and through the efforts of people from here and for our American country and people and legislators, there isn't too much difficulties like I went through before I came here.

Things are going for the better, and I think that the most-favored-nation clause should be kept.

The Romanian people will come closer to the life, and to the truth and will learn more from us what to do and with our help, and with God's help. They will do better in the future.

Thank you.

[The prepared statements follow:]

STATEMENTS OF REV. D. PASCU, DIRECTOR-FOUNDER OF THE ROMANIAN RADIO HOUR OF CLEVELAND, OHIO; REV. A. S. LUCACIU, PRESIDENT, ROMANIAN-AMERICAN BAPTIST FELLOWSHIP; AND REV. GEORGE CRISAN, EDITOR OF THE CHRISTIAN, LEGAL COUNSEL

For the benefit of the Subcommittee on Trade, Honorable Sam M. Gibbons, Chairman, Committee on Ways and Means, U.S. House of Representatives, on the Presidential Recommendation to continue the waiver applicable to the Socialist Republic of Romania, and to extend the waiver authority under the Trade Act of 1974.

Our organizations recommend approval of Presidential recommendation.

Our religious organizations comprise Romanian-English speaking Baptist believers. The membership is well over 2,500 throughout the United States. The members are maintaining an interest in promoting friendship relations with Romania. As Christian believers of Baptist tradition, we believe that by the extension of the MFN clause the USA and Romania can greatly benefit.

The Christian, a quarterly publication, is the mouthpiece of the Romanian-American Baptist Fellowship. It is read by more than 2,500 readers in the U.S. and it also goes to 26 Western countries and Romania.

We have extensively traveled in Romania and have personnal knowledge that the Romanian Government endeavors to comply with the Trade Act of 1974's clauses and also with the Helsinki Declarations.

During the past two years we have experienced, for unexplainable reasons, many obstacles and hardship on those applying for permit to leave Romania and join their families in the USA or elsewhere in the Western world. We have reported cases to the Helsinki Commission of the House. Asking for explanation, the Romanian officials at the Embassy in Washington could only give assurance that eventually all the hurdles will be overcome, since the local authorities had all the authority in granting such passport to exit Romania. Eventually after unexplainable delays, petitioners have been granted leave to exit Romania.

In our trips we realized that the Baptist churches are enjoying same freedom of worship as the Orthodox Church which is the national church, and has about 80 percent of the population in its membership. To be sure such freedom of Worship is not the freedom we understand and enjoy under our Constitution and laws.

We do believe that it is in the best interest of the United States to extend the MFN clause to Romania, which though a complete Communistic and totalitarian regime, in the past stood for its independence and voiced independence in the Socialist Block of Europe, dominated by Russia.

We are familiar with Romanian financial and economical great difficulties which appear almost insurmountable. Nevertheless, for centuries Romania stood a fast bastion there, against Russian drive for open seas.

We sincerely appreciate this privilege and opportunity in submitting the Statement and testifying to it, recommending the extension of the MFN clause to Romania, once again, under all the political and economical guards required.

Chairman GIBBONS. Thank you very much.

I don't have any questions to ask you. I want to say how much I appreciate your taking the time to come and listen and participate in this hearing.

Thank you.

We next have a panel consisting of the National Confederation of American Ethnic Groups, and another member from the Coordinating Committee on Hungarian Organizations in North America, and we have the Committee of Transylvania, Inc. and the American Transylvania Association.

We will hear first from Mr. Szaz.

STATEMENT OF Z. MICHAEL SZAZ, EXECUTIVE VICE PRESIDENT, NATIONAL CONFEDERATION OF AMERICAN ETHNIC GROUPS, INC.

Mr. SZAZ. Mr. Chairman, it is an honor and pleasure to testify before your subcommittee, and thank you for providing me with the opportunity to recount again the situation prevailing in Romania, particularly in Transylvania regarding the human rights and the economic situation of the 2½ million Hungarians living in Romania.

Since 1975 I have testified many times on behalf of the American Hungarian Federation and the National Confederation of American Ethnic Groups, Inc. on this subject both in the House of Representatives and in the Senate. Today I am testifying for both groups.

Recently there has been considerable congressional interest on the issue as evidenced by the letter of 121 Members of the House on December 8, 1981, to then-Secretary of State Alexander Haig, Jr., a copy of which is enclosed, which was spearheaded by Representative Robert J. Lagomarsino, and in February 1982, Congressman Gus Yatron introduced House Resolution 397 on the same subject which at the present time has over 30 cosponsors. I am including a copy of the same to this testimony.

On June 29, 1982, Senator Patrick Daniel Moynihan had addressed a letter, signed by 51 Members of the Senate, to President Ceaucescu of Romania outlining the various concerns the U.S. Senate has about Romania's treatment of the Hungarian minority, evangelical Christians, family reunification cases and, last but not least, about placing serious obstacles into the way of Jewish emigration from Romania to Israel.

Even President Reagan, in his transmittal to Congress, mentioned that he is concerned about the emigration practices of Romania and would reexamine the MFN status of Romania by 1983 in the light of future actions on the Romanian part between now and next year.

Mr. Chairman, the problems of the 2.5 million Hungarian minority in Transylvania are not new. Ever since the detachment of Transylvania, the eastern part of the Banat and Koros-area from the Hungarian Kingdom from Hungary in 1920, the Hungarians in Romania underwent persecution, discrimination and deprivation of the cultural rights. While northern Transylvania was temporarily returned to Hungary between 1940 and 1944, the Allied Powers, at Soviet pressure, agreed in 1947 to give all of the Transylvanian province, the eastern part of the Benat and the Koros-region back to Romania.

The peace treaty obligated Romania to respect the human rights of its citizens regardless of race, creed, or national origin. While temporarily some segments of the Hungarian population received some concessions in order to engage them in the Communist Party and its mass organizations and a Hungarian University was restored in Kolozsvar, Cluj, in 1948, the Hungarian middle classes were eliminated, at the camps of the Danube delta and in Romanian Communist jails.

After 1958, when the last Soviet troops left Romania, as a reward to Romania's full cooperation with the Soviets during the Hungarian Revolution against the Soviets in 1956, the persecution intensified and this time was not on a class, but on a nationality basis. This was despite the many beautiful platitudes of the Romanian Constitution under Communist rules about the extent of the rights of the "co-inhabiting nationalities."

The Hungarian University, Bolyay, in Kolozsvar, Cluj, was forced to merge with the Babes Romanian University in the same town and its Hungarian part was eroded so much that at the present time less than 12 percent of its courses are given in Romanian and most of them concern Hungarian language and literature which could not be taught in Romanian.

The "Magyar Autonomous Province," established in 1952, was emasculated in 1960, renamed "Mures-Magyar Autonomous Province," and was finally eliminated by the administrative reorganization act of 1968 which had replaced regions by a number of countries.

Today only two counties in Romania have Hungarian majorities and a third one an almost even distribution between Hungarians and Romanians. The former Magyar Autonomous Region has been industrialized, in part since the late 1960's and in part after 1975, and under the guise of the existence of a "national labor market," the new workers are Romanians even in the purely Hungarian towns diluting the last Hungarian region in the province.

The cities lost their Hungarian majorities which they had enjoyed for centuries. Again industrialization and the local actions to prevent the new housing to go to Hungarians unless they were trusted party workers played a significant role.

For example, Kolozsvar, Cluj-Napoca, the capital of the province which had a Hungarian majority as late as 1956, even according to the Romanian census, has now only about 33 percent Hungarians among its citizens. Except for a few small cities in Hargita and Covasna and on the Hungarian-Romanian border, all cities have at least Romanian pluralities this year despite the fact that the Romanian birth rate is not higher than the Hungarian ones in most areas of Transylvania.

The border region which is still heavily Hungarian for 5 to 45 miles from the Hungarian border is deprived of Hungarian nationality self-administration by being united with overwhelmingly Romanian areas to the east. Thus, there is little if any self-administration by being united with overwhelmingly Romanian areas to the east. Thus, there is little if any self-administration for the Hungarians despite the fact that they represent conservatively 2.3 million people in Transylvania and 200,000 in other parts of Romania.

The human rights situation is also in a sorry shape. Human rights are rare among communist-controlled citizens anyway, but oppression in Romania is so pervasive that it even makes Communist Hungary look good despite the obvious limitations on human rights under the Kadar regime.

Religious freedom is nonexistent. I talked personally to two of the Protestant bishops in Transylvania several times. One of them is definitely more loyal to the Communist Romanian Government than to his church or his Hungarian heritage. The other one is a just man and an ardent believer but is greatly circumscribed in his activities by the minions of the State Ministry of Cults and its local agents and cannot exercise his function properly.

The situation is not much better with the Roman Catholics and even worse with any evangelical Christians who are not even within the pale of "accepted" churches. Only the orthodox church is given more freedom in view of the nationalistic line of President Ceaucescu but only as it serves the Government's purposes.

There is hardly any teaching of the Bible or religion to the youth, the church's role in welfare activities is draconically limited; a bishop cannot even accept a donation of more than $100 from abroad without the express permit of the State Ministry of Cults.

Hungarian school sections are being actively eliminated both outrightly in some instances, and by manipulation in others.

Only about one-third of the Hungarian teachers in Romania attend so-called Hungarian sections. In many of them there are an inadequate number of Hungarian language textbooks or teachers who speak fluent Hungarian. I already mentioned the Babes-Bolyai

University. Except for some courses in medicine and pharmacy in Tirgu Mures—Marosvasarhely—and at the Teacher's College in the same city there are no Hungarian-language courses on the university level in Romania.

While the Romanians brag about the proportional representation of Hungarians in the Grand National Assembly, county councils and county party organizations, they never mention that in executive positions on the State, county, and local level that are grossly underrepresented. And it is thought the executive councils and its secretaries that power is exercised in a communist governmental and party systems.

Brutalities against Hungarians still occur, there was the case in Dej where one Hungarian young man was beaten to death by the police in 1981 only to be listed as suicide. How did he commit suicide? The police answered that he hit his head into the police cell's wall as many times as it was needed for him to die. Another Hungarian professor in Brasov; Brasso, Professor Szikszay, was pushed into suicide by the interrogatory methods of the Romanian Secret Police in 1978.

In the most recent governmental reorganizational changes, Politburo member Janos Fazekas was pushed out and the Hungarian minority lost its only high-placed spokesman in the regime. The new highest ranking Hungarian, Ludovi Lajos Fazakas, the former Communist Party Secretary of Hargita. He is known for its passivity against Romanian pressures against Hungarians and will not even do so well as Janos Fazekas. And he holds a lower position; that is, that of a deputy premier.

Mr. Chairman, having been involved with the question for over 17 years I could cite pages and pages of other incidents, policies and methods of discrimination. Yet even more immediate than all political and cultural religious discrimination and persecution is the grievous economic and food situation.

Even the capital, Bucharest, and the rich agricultural lands of Oltenia and Wallachia are feeling the pinch of the lack of food, a result of disastrous economic policies of the Ceaucescu regime and the need to balance the trade balance by the export of the remaining meat and grain of the country. The situation in the cities of Transylvania and in the towns of that province are appalling. And you may be rest assured that when the Romanians, who are in power, are feeling hunger, the disliked Hungarian minority feels it even more.

In conclusion, I appeal to the subcommittee and the House Ways and Means Committee not to approve the extension of the MFN status of Romania unless concrete remedial steps are taken by the Romanian Government with regard to the human and cultural rights of the Hungarian minority in Romania, and unless substantial steps are taken by the same Government to change is agricultural policies and to end forced heavy industry expansion enabling it to improve the food situation in all of Romania, but particularly in the Hungarian regions of Transylvania.

Thank you, Mr. Chairman.

Chairman GIBBONS. Thank you, sir.

Mr. Gereben

STATEMENT OF ISTVAN B. GEREBEN, EXECUTIVE SECRETARY, THE COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA

Mr. GEREBEN. Mr. Chairman, we are grateful for the opportunity to present our views on the subject considered by the subcommittee today.

With respect to Romania, we presented our views in testimonies submitted to this subcommittee in the past years. We opposed the waiver applicable to the Socialist Republic of Romania. Our testimonies were based on undisputable documentation of the violations committed by the Romanian Government against the basic human and nationality rights of Hungarians living in Romania. The situation did not improve.

Detailed update of the situation of the Hungarian minority in Romania are being submitted by the Committee of Transylvania, Inc., and the committee for Human Rights in Romania. We support those statements and strongly endorse Congressman Dornan's resolution submitted this morning.

With respect to Hungary, we respectfully submit that granting MFN status to Hungary has not resulted in the substantial promotion of the objectives of section 402 of the Trade Act.

The generally poor performance of the regime in Hungary concerning other aspects of basic human rights were reported by our committee in previous testimonies before this subcommittee. No changes were observed in the past year. On the contrary, a recent report published in Die Presse of Vienna, Austria, and communications just received yesterday give account of the crackdown on Hungarian dissidents in the wake of the June meeting of the Central Committee of the Hungarian Workers Socialist Party.

These arrests and house searches indicate that the rulers of Hungary are tightening the grips on the intellectuals of Hungary.

The attitude of the Government in Hungary on family reunification cases is reflected best by its continuous and stubborn refusal to reveal the location of the burial place of most of those who were executed by the present regime in the years after the 1956 revolution. The bodies were not released to the relatives.

Repeated attempts to recover the remains or gain permission to visit the gravesites by family members failed. On the 25th anniversary of the Hungarian revolution, Senator Moynihan, Representatives Fenwick and Horton, wrote to the Ambassador of the People's Republic of Hungary to the United States, expressing interest in this matter and requesting that he convey their "sincere concern to Government and to First Party Secretary Kadar, and our request that the many unmarked graves be identified".

Ambassador Petran refused to relay the request and with unusual diplomatic discourtesy returned the original letter to Congressman Horton. A followup request to Mr. Kadar mailed on January 26, 1982, still remains unanswered. I request that the letters exchanged in this matter be included in the record as part of my testimony.

Chairman GIBBONS. They will be.

Mr. GEREBEN. It is frequently stated that the regime in Hungary is "liberal and secure." Even Ayatollah Khomeini, whose regime is never referred to as "liberal," released the remains of the murdered or executed victims of his uncontrolled vengeance to their families. The "liberal" Mr. Kadar consistently refuses to do the same with the remains of the betrayed victims of his bloody ascendancy to power.

A secure leader would not be so fearful of his past that he feels compelled to permanently incarcerate the souls of his physically liquidated victims in anonymous graves in order to preserve his present.

We strongly recommend the consideration of these unique family reunification cases in the deliberation of the President's request to approve the continuation of MFN status for the Government in Hungary.

The Government in Hungary displays similar characteristics in the many outstanding family reunification cases pending for one to five years. The reasons cited for denial are: the legal age for emigration, and the assertion that the emigration on the individual "would harm the public order".

The case of 13-year-old Sandor Zoboki, Jr., is especially interesting. He and his father have been separated since 1970, when his father, a Hungarian Air Force pilot, defected by flying his MIG fighter to Italy. Following the mother's death, application for emigration was submitted, and permission was denied, stating that the emigration of the 13-year-old boy in order to join his father is extremely harmful to the public order.

It is understandable that the Government in Hungary was embarrassed by the defection of the father, but why punish the boy by denying him emigration to join his father? How can public order be harmed by the release of a 13-year-old boy to his father? Does the never-forgiving characteristic vengeance of the regime work in this case as in the case of the denial of access to the gravesites of the executed? Do sons have to pay for the actions of their fathers as fathers, mothers, sisters, brothers, sons and daughters must pay for the actions of their beloved family member?

The Government in Hungary apparently is convinced that they must. This attitude should not be condoned by members of the U.S. House of Representatives by approving the continuation of MFN status to the People's Republic of Hungary without extracting tangible assurance from the Government in Hungary regarding the satisfactory resolutions for the outstanding family reunification cases, especially the case of Mr. Sandor Zoboki, Jr.

Many analyses indicate that Hungary's economy is in a most critical stage. Hungary, now more than ever, depends on Western credit, markets, technology, management techniques. Perhaps we, here in the United States, are at a point where our flexing of economic muscle—tempered by astute diplomacy—could yield some political dividends in Hungary. We should refine our approach to the linkage of our economic policy—credits, trades, technology transfer, et cetera—toward Hungary and human rights practices of the Kadar regime and exercise our leverage with greater skill. This will require hard political decisions, some sacrifice and cooperation on the part of the American business community, and, above all, determined, well-informed actions by the administration and the Congress.

The linkage between economic policy and human rights is strongly endorsed by the Hungarian dissidents. Doug Ireland, writing in the March 6, 1982, issue of the Nation, observes:

> Without exception the dissidents I spoke to considered the Reagan administration's policy toward Poland to be weak and vacillating—mere public posturing.
>
> Virtually all of them—the dissidents to whom he spoke—supported the imposition of strong across-the-board economic sanctions against the Soviet Union and Poland until solidarity's hard-won freedom is restored.

A direct link between economic cooperation and the observance of human rights is not just a possible and plausible step for our Government; it is its actual obligation under the terms of the Helsinki Agreement. If we forget this, what point is all the sanctimonious talk we heard from Madrid and the language of section 402 of the Trade Act of 1974?

The U.S. House of Representatives should consider the Presidential recommendation to continue the waivers applicable to the Hungarian People's Republic in this vein. Congress must demand assurances for timely and satisfactory resolution of the outstanding family unification cases and for humanitarian reconsideration of the request made by Members of Congress for the identification and accessibility of the graves of those who were executed after the Hungarian revolution of 1956, as reasonable concession by the Government in Hungary in return for favorable consideration of the continuation of its MFN status.

I respectfully request that my written statement, with its three annexes, be made part of my testimony and included in the record.

Thank you.

Chairman GIBBONS. Yes, sir, they will be.

[The prepared statement follows:]

STATEMENT OF THE COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA PRESENTED BY ISTVAN B. GEREBEN, EXECUTIVE SECRETARY

Mr. Chairman, distinguished members of the committee, my name is Istvan B. Gereben. I am the Executive Secretary of the Coordinating Committee of Hungarian Organizations in North America, the consultative body of all major Hungarian Organizations in the United States and Canada. It is in this capacity that I am making this testimony.

We are grateful for the opportunity to present our views on the subject considered by the Subcommittee today.

With respect to Rumania, we presented our views in testimonies submitted to this Subcommittee in the past years. We opposed the waiver applicable to the Socialist Republic of Rumania. Our testimonies were based on undisputable documentation of the violations committed by the Rumanian Government against the basic human and nationality rights of Hungarians living in Rumania.The situation did not improve.

Detailed update of the situation of the Hungarian minority in Rumania are being submitted by the Committee of Transylvania, Inc. and the Committee for Human Rights in Rumania. We support those statements and their conclusions.

Since there are no improvements in the treatment of Hungarians in Rumania, we oppose the approval of the extension of authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402, and for continuation of the waiver applicable to the Soialist Republic of Rumania.

With respect to Hungary we respectfully submit that granting MFN status to Hungary has not resulted in the substantial promotion of the objectives of Section 402 of the Trade Act.

The generally poor performance of the regime in Hungary concerning other aspects of basic human rights were reported by our Committee in previous testimonies before this Subcommittee. No changes were observed in the past year.

EMIGRATION LAWS OF THE PEOPLE'S REPUBLIC OF HUNGARY

The President in his message to Congress requesting extension of the waiver to the requirements of Section 402 of the Trade Act of 1974 for Hungary stated: "The relatively liberal Hungarian domestic situation seems to defuse any pent-up demand to emigrate and the actual number of citizens who apply to leave Hungary is apparently small".

We would like to remind the members of this Subcommittee that there are thousands of Hungarians who refuse to return from visits to the west every year. This fact demonstrates that there is no pent-up desire to leave the "relatively liberal" domestic situation created by the Government in Hungary. The small number of Hungarians applying for emigration is explained more by the Hungarian emigration laws—which are the most prohibitive in East-Central Europe than by the lack of desire to emigrate. A detailed analysis of these laws and their effects was conducted by the Law Division of the Library of Congress in 1977 and in 1979. According to this analysis "a Hungarian passport for permanent stay abroad may be issued only to a person who is over 55 years of age and wants to deport for the purpose of living with a parent, child or spouse, provided that he is not liable in Hungary for support or for private or public debts. The Minister of the Interior may grant exceptions from these restrictions in well-founded cases.

This section of the Decree regulating the issue of passports rather than "pent-ups" desire to emigrate holds the number of citizens who apply to leave Hungary small.

THE UNIQUE FAMILY REUNIFICATION CASES OF IMRE NAGY AND OTHERS EXECUTED IN THE AFTERMATH OF THE HUNGARIAN REVOLUTION

The attitude of the Government in Hungary on family reunification cases is reflected best by its continuous and stubborn refusal to reveal the location of the burial place of most of those who were executed by the present regime in the years after the 1956 Revolution. The remains of the executed Imre Nagy, Pal Maleter, Miklos Gimes, Jozsef Szilagyi, the murdered Geza Losonczy, and the many scores of teenagers who were hanged on their 18th birthday during the years of 1957 and 1962 are buried in graves whose locations are kept as a state secret. The bodies were not released to the relatives. Repeated attempts to recover the remains or gain permission to visit the gravesites by family members failed. On the 25th Anniversary of the Hungarian Revolution, Senator Moynihan, Representatives Fenwick and Horton, wrote to the Ambassador of the People's Republic of Hungary to the United States expressing interest in this matter and requesting that he convey their "sincere concern to Government and to First Party Secretary Kadar, and our request that the many unmarked graves be identified". Ambassador Petran refused to relay the request and with unusual diplomatic discourtesy returned the original letter to Congressman Horton. A follow up request to Mr. Kadar mailed on January 26, 1982 still remains unanswered. I request that the letters exchanged in this matter be included in the record as part of my testimony.

It is frequently stated that the regime in Hungary is "liberal and secure". Even Ayatollah Khoumeni, whose regime is never referred to as "liberal", released the remains of the murdered or executed victims of his uncontrolled vengeance to their families. The "liberal" Mr. Kadar consistently refuses to do the same with the remains of the betrayed victims of this bloody ascendancy to power.

This attitude clouds the carefully manufactured image of Mr. Kadar as the "liberal statesman" of Eastern Europe who is "secure" in his position and enjoys popular support.

Mr. Kadar is neither liberal nor secure. A liberal would respond to humanitarian requests of this kind positively. A secure leader would not be so fearful of his past that he feels compelled to permanently incarcerate the souls of his physically liquidated victims in anonymous graves in order to preserve his present.

A statesman would extend the courtesy of answering the inquiries from elected officials of another country.

Much can be learned from the response of the Government in Hungary to the subject request conveyed by members of the U.S. Congress. Under the veil of the regime's manufactured respectability and apparent stability, the serious observer discovers vengeance, insecurity, incompetence and an obnoxious disregard for basic decency.

We strongly recommend the consideration of these unique family reunification cases in the deliberation of the President's request to approve the continuation of MFN Status for the Government in Hungary.

THE OUTSTANDING FAMILY REUNIFICATION CASES

The Government in Hungary displays similar characteristics in the many outstanding family reunification cases pending for one to five years. The reasons cited for denial are: the legal age for emigration, and the assertion that the emigration on the individual "would harm the public order".

The case of 13 year old Sandor Zoboki Jr. is expecially interesting. He and his father have been separated since 1970, when his father, a Hungarian Air Force pilot defected by flying his MIG fighter to Italy. Following the mother's death, application for emigration was submitted, and permission was denied stating that the emigration of the 13 year old boy in order to join his father is extremely harmful to the public order. It is understandable that the Government in Hungary was embarrased by the defection of the father but why punish the boy by denying him emigration to join his father. How can public order be harmed by the release of a 13 year old boy to his father? Does the never forgiving characteristic vengeance of the regime work in this case as in the case of the denial of access to the gravesites of the executed? Do sons have to pay for the actions of their fathers as fathers, mothers, sisters, brothers, sons and daughters must pay for the actions of their beloved family member?

The Government in Hungary apparently is convinced that they must. This attitude should not be condoned by members of the U.S. House of Representatives by approving the continuation of MFN status to the People's Republic of Hungary without extracting tangible assurance from the Government in Hungary regarding the satisfactory resolution's for the outstanding family reunification cases, especially the case of Mr. Sandor Zoboki Jr.

HUNGARY'S PERFORMANCE IN THE FIELDS OF ECONOMY

In our previous testimonies to this Subcommittee delivered in the years since 1978, we warned Congress against placing unquestioned faith in the promises and claimed successes of the Kadar-led Government in Hungary. It seems to us that our judgment of credibility of the Communist regime in Hungary endures the test of time.

THE ECONOMY

The performance of the government in Hungary on the much heralded field of the economy disappointed not only the vast majority of Hungarians, but many of the U.S. diplomats, economists, politicians, academicians, businessmen who theorized that Hungary's New Economic Mechanism introduced in 1968 and modified several times since, and implemented by brilliant economists, financiers and monetary experts will enable the Hungarian regime to avoid the key economic problems confronted by other European CMEA countries. In reality, the expectations were proved to be overexaggerated.

A recent study by Cam Hudson of Radio Free Europe Research concludes that in Hungary: ". . . despite the economic reforms, available economic data suggest that one should be cautious in suggesting that the Hungarian economy has performed significantly better than all other CMEA countries."

Mr. Hudson's analysis reveals that in the last decade Hungary has experienced record low and declining rates of economic growth and has incurred high hard current debts. The most successful of the salient features underlying the regime's economic policies is the conscious image building. The first element of this image building process has been applied to the domestic population. Its aim was to convince the public that existing economic policies are both rational and desirable and that given "external constraints", i.e., Soviet Union, such policies are the best possible ones for Hungary.

The second element of this process is designed to convince other CMEA members and particularly the Soviet Union that Hungarian economic reforms are consistent with socialist ideology and that the reforms do not threaten Hungary's commitment to the "socialist community".

The third image building element is designed to convince Western decision makers—not the least, members of the U.S. Congress—that the principles of economic decision making employed in Hungary are consistent with those employed in the West; that Hungary therefore merits favorable consideration on matters of trade and credit policy.

The determined Hungarian campaign to present an image of tranquility and reliability, of being an island of calm prosperity in a sea of COMECON failure, serves similar aims. Part and parcel of this strategy is that internal troubles will be smoothed over and dissidents, for example, are not actively persecuted, but subtly manipulated on the margins.

Economic indicators, especially the analysis of the growth of Domestic Net Material Product (DNMP), reveals that the widespread image of Hungary as a prosperous and rapidly growing economy during the "reform era" of the 1970's is difficult to confirm. In 1980 Hungary earned the dubious privilege of experiencing an actual decline in DNMP of 0.8 percent, joining Poland and Czechoslovakia as the only countries ever to report a negative growth for DNMP. In the time period 1976 to 1980, Hungary's growth rates dropped more rapidly than elsewhere, giving it the second lowest growth rate in the region after Poland.

Mr. Hudson examined consumption levels in Hungary and in other CMEA countries.

Comparisons of levels of consumption of a wide range of goods do not unambiguously demonstrate that material consumption levels are higher than in other countries of the region. Indeed, such data tend to indicate lower material consumption levels than in (the decidedly nonreformist) Czechoslovakia and the GDR. Moreover, despite the reforms, retail trade turnover has increased more slowly in Hungary in the last decade than in the other countries of the region—in 1976–1980 retail trade turnover increased by 2.6 percent p.a. (compared with an average of 4.6 percent p.a. in the other CMEA countries of the region).

At the end of 1981 Hungary's net debt to Western banks and governments is estimated by the Bank of International Settlements to have amounted to $7,800 million, giving Hungary the highest per capita debt of all CMEA member countries.

Moreover, the massive changes in expenditure on investment (particularly in 1978, 1979, 1980) belie the "image" of cautious, stable economic management attributed to Hungarian policymakers.

The evident contradictions between the "image" of Hungary and the "reality" as reflected in official statistics does not stop at the macro-economic indicators. Indeed, there are grounds for believing that Hungary's attempts at image building have been so successful that the image has to some degree been divorced from reality.

Many Western observers, for example, would be surprised to learn that in 1981 only 3.6 percent of the total Hungarian work force was employed in privately owned enterprises (5.6 percent of the agricultural work force and 3.1 percent of the nonagricultural work force); that less than 1 percent of total retail turnover was sold in private retail outlets; that private retail outlets constituted less than 6 percent of the total number of retail outlets; that private agricultural producers (i.e., private farmers, plus private plots of the agricultural producers' cooperatives) produced in 1980 31.5 percent of gross agricultural output on less than 13 percent of the total agricultural land area; that the percentage of the total work force privately employed is only half that of the GDR (at approximately 6 percent) and only one-seventh of that in Poland (at approximately 25 percent); and, most significantly, that these proportions have been remarkably constant ever since 1968 (between 1970 and 1981 the percentage of the total work force employed in privately owned enterprises actually decline from 4.2 percent to 3.6 percent, and the total privately employed work force actually declined by 21 percent over this period.)

Despite a contrary impression given in many reports by Western journalists, there is little evidence that the regime is prepared to allow a massive expansion in the activities of private enterprise. There is simply no substantive evidence to suggest that Hungary is launching a "reprivatization" campaign or that it is pursuing "counterfeit capitalism".

Mr. Hudson is not alone with his analysis. A recent paper by George Schopflin: "Hungary Between Prosperity and Crisis" (Conflict Study No. 136, May 1982; The Institute for the Study of Conflict, London), analyzes the different aspects of Hungarian economy, its structures—among them agriculture, the secondary economy, poverty, corruption—and draws similar conclusions to Mr. Hudson's. He states: "Inevitably there must be a question mark over the political stability of Hungary for all its boasted prosperity and stability. It is true that for three years, the leadership has successfully pursued a policy of austerity that has cut deep into the standard of living of the average Hungarian; however, it is doubtful if this can be pursued without some genuine political concessions."

Mihaly Vajda, a prominent Hungarian dissident, in his essay "Realism and Seeing the Point" published as samizdat in 1981", expresses the concern of Hungarian intellectuals about the much heralded economic policy of the Hungarian regime: "Economic rationality (economic democracy) without adequate democratic political structure is only a vain fantasy . . . The economic reforms are doomed to failure if they are not accompanied by political reforms. Today this is known even for the regime."

All of the above indicates that Hungary's economy is in a most critical stage. Hungary now more than ever depends on Western credit, markets, technology, management techniques. Perhaps we, here in the United States, are at a point where our flexing of economic muscle—tempered by astute diplomacy—could yield some political dividends in Hungary. We should refine our approach to the linkage of our economic policy (credits, trades, technology transfer, etc.) towards Hungary and human rights practices of the Kadar regime and exercise our leverage with greater skill. This will require hard political decisions, some sacrifice and cooperation on the part of the American business community, and above all, determined, well informed actions by the Administration and the Congress. We should cooperate with the government in Hungary to the extent to which it cooperates with us. We should limit our cooperation when the behavior of that government is uncooperative. When it acts against our interest or principles—driven by its own considerations or under the pressure from the Kremlin—we should react forcefully and should not accept private explanations for their public actions. Strong public denounciations of the violations of American interests and principles by the government in Hungary can produce the benefit of a needed argument for relaxation of internal or external pressures.

The linkage between economic policy and human rights is strongly endorsed by the Hungarian dissidents. Doug Ireland, writing in the March 6, 1982 issue of the Nation ("Hungary's Dissidents: A Cold Wind From Poland"), observes:

"Without exception the dissidents I spoke to considered the Reagan Administration's policy toward Poland to be weak and vacillating—mere public posturing."

"Virtually all of them (the dissidents to whom he spoke) supported the imposition of strong across the board economic sanctions against the Soviet Union and Poland until Solidarity's hard won freedom is restored."

A direct link between economic cooperation and the observance of human rights is not just a possible and plausible step for our government, it is its actual obligation under the terms of the Helsinki agreement. If we forget this, what point is all the sanctimonious talk we heard from Madrid and the language of Section 402 of the trade act of 1974?

The U.S. House of Representatives should consider the Presidential recommendation to continue the waivers applicable to the Hungarian People's Republic in this vein. Congress must demand assurances for timely and satisfactory resolution of the outstanding family unification cases and for humanitarian reconsideration of the request made by members of Congress for the identification and accessibility of the graves of those who were executed after the Hungarian Revolution of 1956, as reasonable concession by the government in Hungary in return for favorable consideration of the continuation of its MFN status.

Chairman **Gibbons**. Committee of Transylvania, Mr. Lote.

STATEMENT OF LOUIS L. LOTE, PRESIDENT, COMMITTEE OF TRANSYLVANIA, INC.

Mr. **Lote**. Mr. Chairman, my name is Louis Lote. I am president of the Committee of Transylvania. Our group was formed in 1955; membership now extends to 26 States of our country and some 15 states of Europe, North and South America and Australia. We testified at these hearings the last 5 years, but we have never taken a strong position in the past against the most-favored-nation status of Romania, partly on account of our Government's view on the good relations with that country; partly because we attempted to persuade the subcommittee in out testimonies that the deplorable human rights record of Romania and its suppressive policies against national minorities and prospective emigrants would warrant strong action by our Government.

We hoped that our reasoning in this matter will be received by a degree of understanding and at least modest steps will be undertaken to remedy the wrongdoings of the Romanian Government against the peoples of that country.

We were, however, wrong.

We know of no instance where the plight of the 2.5 million Hungarians in Romania would have been considered even as a marginal factor in deciding the future of the MFN for Romania. We hope it will happen this year.

Under these circumstances, we oppose the MFN status for Romania for another year. Our reasons are as follows:

First. Romania's dismal human rights record with regard to Romanians, Hungarians, and other nationalities and prospective Jewish immigrants.

Second. The systematic denationalization process against the indigenous Hungarians amounting to the crime of cultural genocide.

Third. The mismanagement of the country's economy caused by the inept but rigidly centralized leadership of President Ceausescu and his family.

None of these reasons need, in 1982, much explanation. As to the oppression of Hungarians, there are some 500 pages in the printed reports of the subcommittee on the hearings describing it in detail.

The sad state of affairs in Romania for both, human freedom and standard of living, is well known in the free world.

I want to bring up, for example, how Le Point, the French weekly magazine, sums up Romania's international standing by stating that—

> The time has long passed when the system of Nicolae Ceausescu enjoyed a favorable prejudice in the West on account of its alleged independence from Moscow. The fact that the Romanian head of State lets himself be worshipped as an idol, the appalling terror in Romania, and the ideological rigidity dispelled the last western illusion.

This is from the June 20 issue of Le Point.

Hungarians and other nationals are, of course, cosufferers of the excesses committed by the Ceausescu regime, but on the top of all these, they are exposed to a ruthless minority policy which endangers the future of their mother tongue, culture and their mere survival as a distinct nation.

Yet, the Romanian Government claims ("Country Reports on Human Rights for 1981") it does not discriminate against minorities.

How can anybody give credence to such an illogical allegation when the fact of cultural, educational limitations in entire Transylvania are clearly recognized?

How can it be imagined that in a strictly regimented society, as the Romanian, some local overlords do act on their own without central order from Bucharest?

The culpability of the Romanian Government had been acknowledged by our Government at least 18 years ago when in a report on Romania, it was stated that the government "has continued to pursue a systematic policy of romanizing the Hungarians of Transylvania" by gradually reducing the number of cultural institutions for Hungarians in Transylvania, and by "assigning Hungarian intellectuals to posts outside of Transylvania."

Mr. Chairman, this report was prepared in 1964. As you know, and many people know, conditions have never improved, but have worsened since.

How can the Romanian Government still claim that it has no responsibility on all those wrongdoings?

I mention our most recent information, maybe a couple weeks old, that, for example, in Magyardécse, a village with totally Hungarian population of 2,800, has an all-Romanian administration, where people can only speak in Romanian.

That village has no Romanian population whatsoever. In Varkudu, with 70 percent Hungarian inhabitants, there will not be opened a Hungarian class in school with less than 16 Hungarian children, but the Government provides a Romanian teacher if there is only 1 Romanian child in a class.

A British informant smuggled a few Bibles into Transylvania for some Calvinist congregations, and told us that people all over begged him for Bibles, the importation of which is strictly forbidden, the Government does not print them and does not allow to be printed.

Mr. Chairman, let me make a few special remarks and recommendations.

One, Transylvania is a special part of Romania. That land is the home, not only of Romanians, but also Hungarians (for more than 1,000 years) and Saxons (for 800 years).

Hungarians and Germans have made Transylvania, by their cultural and religious background, the easternmost outpost of what we call "Western culture."

The European cultural significance of Transylvania and its present conditions are excellently described by John Lukacs, an internationally known writer and historian in his article, entitled "In Darkest Transylvania," published February 3, 1982, in the New Republic.

Two, we estimate the Hungarian population of Romania is about 12 percent of the total. That is more than the Romanian Government admits. But taking the flat percentage rate is misleading for the Hungarian presence in Romania because their rate in Transylvania amount to more than one-third of the total population, in some areas and in many communities, a 51- to 100-percent majority.

Chairman GIBBONS. Pardon me, sir, I have to go vote, so if you will suspend for a moment, I will do that and come right back.

Mr. LOTE. Yes, sir.

[Recess.]

Chairman GIBBONS. The meeting will resume.

Let me explain that we have a number of votes pending and I am sorry for the delay that we have had.

We will continue with your testimony, Mr. Lote.

Mr. LOTE. Thank you very much. I am very glad to continue.

Three, Transylvania-oriented organizations in our country are grateful to the interest and goodwill of many members of the U.S. Congress who repeatedly called the attention of the President and Secretary of State with regard to the self-determination of and cultural genocide against the Hungarians in Romania.

I think the latest one is dated June 29 and that was endorsed by 51 Senators. We are very much pleased that the question of Jewish emigration became one of the major considerations in deciding the MFN status for Romania. We support the statements of Congressmen McDonald and Lantos, and strongly endorse the resolution of Congressman Dornan submitted today to the subcommittee.

Four, a single, one-line law could mean a turning point in all national and cultural suppression in Romania. That would be a law recognizing the Hungarian as a second official language in entire Transylvania.

On a much smaller scale, but with more realistic hope that it could be achieved within the next 12 months, another one-line decree is a top priority of many Hungarian-American Transylvanian leaders.

This is to rescind the infamous hotel-decree according to which overnight stay of a foreign visitor in the homes of friends and relatives (except parents and children) is forbidden under heavy fines.

This decree, at present, cuts off visitations of Hungarians from Hungary to Hungarians in Transylvania, as few of them can afford a hotel, if there is any in a reasonable distance, and almost any Hungarian in Hungary has relatives or friends in Transylvania.

Five, in conclusion, I strongly believe that the Transylvanian Hungarian question should be subject of not only testimonies at a hearing, but discussions on a person-to-person basis with competent governmental organ.

With this thought in my mind, I respectfully recommend establishment of regularly scheduled meetings of a group of most active Transylvanian-American leaders with select members of the subcommittee once or twice a year.

These meetings would make possible some followup communications and could bring the Transylvania problem which seems to float in a vacuum in conjunction with the subcommittee, down to the earth of realities and eventual solutions, or at least slow but steady improvements might be forthcoming.

Hoping for a favorable reaction to this proposal, I conclude my statement and again thank you for the opportunity.

[The prepared statement follows:]

STATEMENT OF LOUIS L. LOTE, PRESIDENT, COMMITTEE ON TRANSYLVANIA, INC.

SUMMARY

Mr. Chairman, I thank for the opportunity to again present the views of the Committee of Transylvania. Our group was formed in 1955; membership now extends to 26 states of our country and some 15 states of Europe, North and South America and Australia.

We have never taken strong position in the past against the most favored-nation-status of Rumania, partly on account of our government's view on the good relations with that country. Partly because we attempted to persuade the Subcommittee in our testimonies that the deplorable human rights record of Rumania and its suppressive policies against national minorities and prospective emigrants would warrant strong action by our government. We hoped that our reasoning in this matter will be received by a degree of understanding and at least modest steps will be undertaken to remedy the wrong doings of the Rumanian government against the peoples of that country. But we know of no instance where the plight of the 2.5 million Hungarians in Rumania would have been considered even as a marginal factor in deciding the future of the MFN for Rumania.

Under these circumstances we feel obliged—faithfully to our purposes—to oppose the MFN status for Rumania for another year. Our reasons are as follows:

(1) Rumania's dismal human rights record with regard to Rumanians, Hungarians and other nationalities,

(2) the systematic denationalization process against the indigenous Hungarians amounting to the crime of cultural genocide,

(3) the economic failure of the country caused by the inapt but rigidly centralized leadership of President Ceausescu and his family.

None of these reasons need, in 1982, much explanation. As to the oppression of Hungarians there are some 500 pages in the printed reports of the Subcommittee on the hearings describing it in detail.

The sad state of affairs in Rumania for both, human freedom and standard of living, is well known and we can see in Rumania's example where a pathological thurst for power, political shortsideness and mismanagement of economy can lead causing human sufferings for millions. Le Point, the French weekly magazine, sums up Rumania's international standing properly by stating that "the time has long passed when the system of Nicolae Ceausescu enjoyed a favorable prejudice in the West on account of its alleged independence from Moscow. The fact that the Rumanian head of state lets himself worshipped as an idol, the appalling terror in Rumania, and the ideological rigidity despelled the last western illusions". (June 20, 1982)

Hungarians and other nationals are, of course, co-sufferers of the excesses committed by the Ceausescu regime but on the top of all these they are exposed to a ruthless minority policy which endangers the future of their mothertongue, culture and their mere survival as a distinct nation. Yet, "the Rumanian government claims ("Country reports on Human Rights for 1981") it does not discriminate against minorities".) How can anybody give credence to such an illogical allegation when the fact of cultural, educational limitations in entire Transylvania are clearly recognized? How can it be imagined that in a strictly regimented society, as the Rumanian, some local overlords do act on their own without central order from Bucharest? The culpability of the Rumanian government had been acknowledged by our government at least 18 years ago when in a report on Rumania it was stated that the government "has continued to pursue a systematic policy of romanizing the Hungarians of Transylvania" by grandually reducing the number of cultural institutions for Hungarians in Transylvania, and by "assigning Hungarian intellectuals to posts outside of Transylvania".

Our most recent information from outside the Székelyland tells us that in Magyardése, a village with totally Hungarian population has an all Rumanian administration where people only can use the Rumanian language. In Várkudu with 70% Hungarian inhabitants there will not be opened a Hungarian class with less than 16 Hungarian children but the government provides a Rumanian teacher if there is only one Rumanian child in a class. Another informant smuggled a few Bibles into Transylvania for some Calvinist congregations, and told us that peoples begged him for Bibles the importation of which is strictly forbidden, the government does not print them and does not allow to be printed.

I have a few special remarks and recommendations:

(1) Transylvania is a special part of Rumania. That land is the home not only of Rumanians, but also Hungarians (for more than one thousand years) and Saxons (for 800 years). Hungarians and Germans have made Transylvania by their cultural and religious background the easternmost outpost of what we call "Western Culture". Originally, Transylvania had been part of Hungary since forming of that country 1086 years ago, until 1919. The European cultural significance of Transylvania and its present conditions are excellently described by John Lukacs, an internationally known writer and historian in his article, entitled "In Darkest Transylvania" published February 3, 1982 in The New Republic.

(2) We estimate the Hungarian population of Rumania to about 12 percent of the total. But taking the flat percentage rate is misleading for the Hungarian presence in Rumania because their rate in Transylvania amount to more than one-third of the total populations, in some areas and in many communities a 51 to 100 percent majority.

(3) Transylvania oriented organizations in our country are grateful to the interest and good will of many Members of the U.S. Congress who repeatedly called the attention of the President and Secretary of State with regard to the self-determination of and cultural genocide against the Hungarians in Rumania. We are very much pleased that the question of Jewish emigration became one of the major considerations in deciding the MFN status for Rumania. We would only like to emphasize that is would contribute greatly to a just governmental philosophy if violations of human and national rights, discrimination because of race, nation, creed, language and culture in Rumania would enjoy a similar degree of consideration.

(4) The problem of national minorities is a very complex one. But historical past, size, cultural development and, above all, the desire to preserve one's national identity are some of the most important factor to be considered. In the case of the 2.5 million Hungarians these factors are very much present. As far as I know, provisions in the Paris peace treaty of 1947 for the protection of national minorities are as little as nil. For the bad consequences for millions of peoples of that omission the signatory powers are responsible. The United States is one of those power.

(5) A single one-line law could mean a turning point in all national and cultural suppression in Rumania. That would be a law recognizing the Hungarian as a second official language in entire Transylvania.

On a much smaller scale, but with more realistic hope that it could be achieved within the next 12 months, another one-line decree is a top priority of many Hungarian-American Transylvanian leaders. This is to rescind the infamous hotel-decree according to which overnight stay of a foreign visitor in the homes of friends and relatives (except parents and children) is forbidden under heavy fines. This decree, at present, cuts off visitations of Hungarians to Hungarians in Transylvania as few of them can afford a hotel if there is any in a reasonable distance and almost any Hungarians in Hungary have relatives or friends in Transylvania.

(6) I strongly believe that the Transylvanian Hungarian question should be subject of not only testimonies at a hearing but discussions on a person-to-person basis with competent governmental organ. With this sought in my mind I respectfully recommend establisment of regularly scheduled meetings of a group of most active Transylvanian American leaders with select members of the Subcommittee once or twice a year. These meetings would make possible some follow up communications and could bring the Transylvania problem which seems to float in a vacuum in conjunction with the Subcommittee, down to the earth of realities and eventual solutions, or at least slow but steady improvements might be forthcoming.

Hoping for a favorable reaction to this proposal, I conclude my statement and again thank for the opportunity.

STATEMENT

Mr. Chairman, I welcome the opportunity to again present the views of the Committee of Transylvania, Inc. on the extension of the most-favored-nation status for Rumania for another year.

Our group was formed in 1955 in Cleveland, membership now extends to 26 states of our country and some 15 states of Europe, North and South America and Australia. Our main purpose is to engage in research and the compilation, publication and dissemination of documentary material, opinions and views in regard to the cultural, ethnographic and historical background of Transylvania as well as to protect by all legal means the national minorities, focusing on Hungarians, of Transylvania and other parts of Rumania from encroachment, inequities, injustices, violations of their human and national rights, systematic denationalization by the government of the Socialist Republic of Rumania.

With a good deal of self-denial we have never taken strong position in the past years against the most-favored-nation status of Rumania, partly on account of our government's view which has attributed a strong sense of importance to our good relation with Rumania. Partly because we attempted to persuade the Subcommittee in our testimonies that the deplorable human rights record of the Rumanian government and its suppressive policies against national minorities and prospective emigrants would warrant strong action by our government. We hoped that our reasoning in this matter will be received by a certain degree of understanding on the part of the Subcommittee and at least modest steps will be undertaken to remedy the wrong doings of the Rumanian government against the peoples of that country.

Our flexibility, however, led nowhere, and we know of no instance where the plight of the 2.5 million Hungarians in Rumania would have been considered even as a marginal factor in considering the future of Rumania's most-favored-nation status by the Subcommittee.

Under these circumstances we feel obliged—faithfully to our above quoted purposes—to oppose the most-favored-nation status to Rumania for another year and we are going to oppose it until improvements in the treatment of Hungarians by the Rumanian government will occur.

Our reasons are as follows:

(1) Rumania's dismal human rights record with regard to Rumanian, Hungarians and other national minorities, and prospective Jewish emigrants,

(2) the systematic denationalization process against the indigenous Hungarian population amounting to the crime of cultural genocide,

(3) the economic failure of the country caused by the inept but rigidly centralized economic leadership of President Ceausescu personally and his family.

None of these reasons need, in 1982, much explanation. Rumania's overall violations are presented in the "Country reports on Human rights for 1981" and in numerous press reports. The country's economic problems, while they started to trickle in first from visitors to and from Rumania, are now subject of repeated reports in the American and European press. Denationalization of Hungarians had been reported to Members of Congress and the Administration by Transylvania and human rights oriented organizations for a number of years. Only in the printed reports of the Subcommittee there are some 500 pages, in the last 4 years, describing in detail oppression of Hungarians in Rumania.

Nevertheless we list here some from an official government document just for reminder:

"The (Rumanian) government exercises strict control over civil and political rights and economic decision making. (It) maintains a restrictive emigration policy and has strict limitation on political expression and religious activities. Police brutality is reported, and prisoners are sometimes beaten, verbally threatened and are subject to strong psychological pressures. Conditions of confinement are poor. Former prisoners report overcrowded, unsanitary conditions of imprisonment, poor and inadequate diet, long working hours and minimal medical care. Prisoners occasionally and at times are kept in relative or complete isolation and at times are refused access to their families for as much as six months at a time. Reports of the confinement of prisoners and dissidents in psychiatric hospitals because of their political and religious views persist . . ."

"Police harassment is a common feature of everyday life for those who are politically active beyond the limits set by the Communist Party, or who actively proselytize for their church. Romanian law does not provide for habeas corpus, and no effective legal remedy exists for persons held without charge. Emergency trials may be used to try and sentence a defendant in less than 48 hours. There are reports of forced entry (in homes) without a warrant in cases involving political and religious dissidents. Freedom of speech, the press and assembly is sharply limited; no one, according to the constitution, may use these freedoms "for aims hostile to the socialist system". No independent criticism or discussion of changes in basic party policies or of high political personalities is permitted. All publications are government controlled and Western publications are not generally available. Unauthorized importation or distribution of religious literature has resulted in fines and prison terms. Adherents to religions other than the 14 officially recognized denominations are not permitted to practice their faith in public. Church buildings built or repaired without government permission have been closed or on occasion torn down."

"The government discourages unregulated contacts with foreigners, and requires such contacts to be reported to the authorities. Passport for foreign travel are difficult to obtain and relatively few Rumanians are allowed to travel abroad. The government attempts to discourage emigration through administrative, social and economic constraints, which can often impose a heavy burden upon individuals, including loss of job, demotions, reductions in salary, and other forms of discrimination during the lengthy period when an application to emigrate is pending. Opposition to the Party is prohibited. Power is centered at the top and especially in the person of the Secretary General, who is also President of the Republic".

"One of the few attempts to organize workers into independent unions, the Free Trade Union Movement of Romanian Workers (SLOMR), was begun in 19[illegible] and resulted in the imprisonment or forced exile of SLOMR's leaders. The Romanian government does not fully cooperate with inquiries from international groups about political prisoners. Romanian markets have been plagued by severe shortages of food (including meat and dairy products) which have intensified because of poor harvests, poor distribution and inadequate storage and the increasing need to export food for hard currency. New measures to punish food hoarding, and a system of rationing for some food items, including bread, were put into effect in the autumn of 1981. The quality of foodstuffs and clothing kept for domestic consumption is inferior to what is exported for hard currency to pay for imports necessary for Rumania's industry".

These quotations were taken from the "Country reports on Human Rights Practices for 1981" prepared by the Department of State and submitted to the Committee on Foreign Affairs, U.S. House of Representatives and the Committee on Foreign Relations, U.S. Senate.

The above statements clearly reveal the sad state of affairs in Rumania for both, human freedom and standard of living, although Rumania, which is not occupied by Soviet forces and in terms of material resources is one of the richest countries of Europe, could maintain a socialist system with much less regimentation and a succesful national economy. But we can see in Rumania's example where a pathological thirst for power, political shortsidedness and mismanagement of economy can lead and cause human sufferings for millions.

Hungarians and other nationals are, of course, co-sufferers of the excesses committed by the Ceausescu regime but on the top of all these they are exposed to a ruthless minority policy which endangers the future of their mother tongue, culture and their mere survival as a distinct nation.

The human rights report of the State Department touches upon the Hungarian grievances however sparingly and with significant omissions, yet somewhat better than in the previous year's report. Concerning national minorities the Report says the following:

"Limitations on the free exercise and expression by minorities of their cultural heritage exist. Government efforts to centralize and to economize by combining educational, social and cultural activities frequently affect minority groups disproportionately. For example the merger of schools, theaters or other activities results in the reduction of the unique qualities of one particular ethnic group or another. The requirement that all organizations be approved and regulated by the government practically precludes the establishment of private organizations dedicated to the preservation of ethnic cultural practices."

"Provision of government services for Romania's minority groups reflects the limitations referred to above. German and Hungarian radio broadcasts are carried several hours daily; television in these languages is limited respectively to two and three hours weekly. Minority language newspapers are readily available in Bucharest and areas where minority groups are concentrated, though fewer papers are permitted to publish than in previous decades. The importation of all publications, including those in the Hungarian and German languages, is strictly controlled. Bi- and tri-langual signs are uncommon even in areas where non-Romanian ethnic groups are in the majority, except for occasional street signs or those identifying schools, museums, churches and monuments. Schools for minority groups may be established although more minority group students are required to set up a minority language school than are required to establish a Romanian language school. School consolidations at the primary and secondary level, leading to the closing of many ethnic language schools, have been viewed by some critics as reflecting a policy of discrimination. The one solely Hungarian language university ceased to exist in that form when it was merged with a Romanian one in 1959."

Yet after all these clear restrictions of Hungarian language education, and limitations in ethnic cultural activities, as the Report puts it and I quote: "The government of Romania claims it does not discriminate against its minorities". Of course, it claims, as the classical defense in law courts says: "I am not guilty." But can anybody in his right mind give credence to such an allegation? The fact that cultural, educational limitations exist in entire Transylvania, where the non-Rumanian population of the country is concentrated, is not enough indication that those limitations are carried out on a central command, or at least they follow the spirit of governmental guidelines to hamper education in mother language and nationalities' cultural activities? How can it be imagined that in a strictly regimented society, as the Rumanian, some local overlords do act on their own without orders? Even though no American official or human rights agent could put his hand on some government ordinance or "internal regulations" (dispozitii interne) concerning minorities, it seems to me that the culpability of the Rumanian government is beyond doubt. The more I am convinced of that because the Department of State had acknowledged it at least 18 years ago when in a report entitled "Situation of the Hungarian minority in Transylavania" the Department stated that the Rumanian government "has continued to pursue a systematic policy of romanizing the Hungarians of Transylvania" by gradually reducing the number of cultural institutions for Hungarians in Transylvania, and by "assigning Hungarian intellectuals to posts outside of Transylvania".

As you can see our official perception of the involvement of the Rumanian government in the denationalization process of Transylvania Hungarians in the last 15 years or so made a half circle climaxing in the 1980 Human Rights Report which states without any reservation and doubt that, and I quote "The Government of Romania does not discriminate against its minorities as a matter of policy". It is hoped that the other half of the circle will be completed much faster to state again, as it was in 1964, in the above referred report, that the romanization of the Hungarians of Transylvania is a systematic policy of the Rumanian government. Of course, we hope even stronger that the suppressive minority policy will be given up by Bucharest but it would be naive to believe that this happens without strong pressure by the U.S. government.

Until that time, however, the "Country Reports on Human Rights Practices" will remain a major source for any individual or organization which is interested and is not in the position to make his own research.

We received our most recent information just a few days ago. They are first hand reports by the peoples personally involved, in Transylvania.

A visitor from Western Europe managed to smuggle through the border into Transylvania 6 copies of Hungarian bibles and distributed them to three Hungarian Reformed (Calvinist) ministers. They accepted the Bibles with tears in their eyes and were wondering how the visitor had the courage to bring them through the border when this is strictly forbidden by the government, of course which, however, does not print and does not allow to print Hungarian Bibles. (Names and address of visitors, the congregations and their localities are withheld to protect them from prosecution in Transylvania). If one recognizes that Bibles are forbidden in a land, Transylvania which had been the very first country in Europe to grant religious freedom more than 400 years ago during the period of independence and Hungarian leadership, he also realizes how deep Transylvania is debased under Rumanian communist rule.[1]

A Calvinist minister who lived all his life in Transylvania reported the following about his and two neighboring villages. His village of 2,800 population, all Hungarian and Calvinist, has a 10 grade Hungarian school because no Rumanian lives there. A neighboring community with 1,900 population, out of which there are 500 Rumanians, the teaching in the 10 grades school goes mostly in Rumanian; in another village nearby with 900 population there is a 4 grades Hungarian and Rumanian language school for the 620 Hungarians and 280 Rumanians, but if they do not have at least 16 pupils for a Hungarian class, the government does not provide a Hungarian teacher. On the other hand if there is even one Rumanian child, they give a Rumanian teacher.

The minister further states that in his purely Hungarian village the administration is filled with Rumanian employees; if there is a Hungarian, he is in a very low position and must be a good communist. Local ordinances are issued only in Rumanian language and in offices only Rumanian may be spoken also by Hungarians. Street signs in all the three villages are solely in Rumanian. Religious education is permitted by the government only in the church and in the minister's home strictly from Saturday afternoon to Sunday afternoon. Even in this limited time authorities do their best to take the children away from religious classes by hiking, youth meetings, movies. The government limits admittance of theological students for future Calvinist clergymen to 20 a year while the replacement of retired pastors would require 80. On the job market if for a vacancy 9 Hungarians and one Rumanian report, the Rumanian will be employed.

In summarizing the overall situation the minister emphasizes that the "rumanianization is proceeding in entire Transylvania, in every aspect of life with unimaginable proportions". (The name of the minister, now in the U.S. and the localities are withheld.)

In conclusion I would like to call the attention on some special aspects of the Transylvanian problem and present some suggestions how to deal with it:

(1) Transylvania is a special part of Rumania as it had been of Hungary. While Moldavia and Wallachia are overwhelmingly populated by Rumanians and the remnants of other ethnic groups moving through and partly settled at the time of the Great Migration, including Patzinaks, Cumans and "Csango" Hungarians, Transylvania had been and still is the home of three distinct nations. Hungarians, Rumanians and Germans. The distribution of the 7 million Transylvanian (latest census figure) is an estimated 2.5 million Hungarians, 3.8 million Rumanians, ½ million Germans and some 200 thousand Serbs, Ruthens, Ukrainians, Bulgars, Turks, Gypsies and Jews.

Hungarians and Germans have made Transylvania by their cultural and religious background historically the easternmost outpost of what we call "Western Culture", while Rumanians by their cultural and religious background represent the westernmost inroad of Eastern Europe and East-European cultural heritage. The penetration of the East into Central-Europe, that is historic Hungary which had adopted Western Christianity and Culture more than one thousand years ago, had been strengthened by the separation of Transylvania from her motherland Hungary 60 years ago, and acquired extreme power from the birth of Communist Rumania some 35 years ago.

Transylvania had been part of Hungary since the forming of that country 1,086 years ago until the Trianon peace treaty in 1919 when the heretofore Hungarian land was given to Rumania as a reward for her changing sides during World War I. Transylvanian Germans were resettled by the Hungarian kings in the 12th century

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[1] Our informant visited some other churches, including Hungarian Baptists. People begged him to bring in more bibles which they miss so much and cannot expect from the Hungarian communist regime either. Thus some international organization, such as the Reformed World Federation would be competent could look into this matter and help.

(Saxons), and by the Hapsburgs in the 18th century (Swabians). The first documented evidence of Rumanian presence in Transylvania dates back to the 13th century. During the Turkish occupation of Hungary in the 16th and 17th centuries Transylvania became an independent Hungarian principality and became the guardian of Hungarian culture, education, and contributed immensely to the continuity of Hungarian statehood and national survival. (Please, see enclosure, "Independent Transylvania".)

The European cultural significance of Transylvania is excellently summarized by John Lukacs, an internationally known writer and historian in his article, "In Darkest Transylvania" published February 3, 1982 in The New Republic", rightly subtitled "The beautiful and bitter end of Europe". We quote this section:

"Transylvania is a beautiful region, a beautiful part of Europe. I write 'part of Europe', because this is essential, the key to its history, to the very configuration of its landscape and of its shapes, of its colors and scents, and of the taxonomy of its flora and fauna, including the human fauna. Transylvania had its high Middle Ages, cathedrals, Cistercians, a whiff of the Renaissance, its Reformation, its Counter Reformation, its Baroque, its Enlightenment—the historical ages that made Europe, entire historical ages that did not exist in Russia or in Rumania, Moldavia, Oltenia, Wallachia, Bressarabia, Bulgaria, Serbia, Macedonia, Albania, Thrace, Greece, the Ukraine."

(2) We estimate the Hungarian population of Rumania to about 12%. This is more than the Rumanian census figure but the latter cannot be trusted too much for accuracy and impartiality. Except the "csangos", Bucharest Hungarians and displaced Hungarian intellectuals and workers in old Rumania, the Hungarians as we said before, live in Transylvania. But taking the flat percentage rate at face value is misleading for the Hungarian presence in Rumania, because their rate in their original homeland (Transylvania) amount to about one-third of the total population, in some areas and in many communities a 51–100% majority.

Hungarians had had their three level complete school system before the Rumanians annexed Transylvania, and a wide variety of cultural institutions, museums, libraries and alike. These institutions became confiscated by the Rumanian government, nobody knows what happened with their treasures. Universities are merged with newly established Rumanian ones and this signals the death sentence for the institutions. Hungarian grammar and high schools or classes are being discontinued at an alarming rate.

The agonizing question in our mind is that what can be done to stop and reverse this life threatening trend. The answer is practically nothing if the United States government does not want to support this cause.

(3) Transylvania oriented organizations in our country and all over the world are grateful to the interest and good will of many Members of the U.S. Congress who repeatedly expressed concern for the Hungarians in Transylvania and or called the attention of the President and Secretary of State with regard to the self-determination of the cultural genocide against the Hungarians in Rumania. We acknowledged with great appreciation that the State Department held human right discussions with Rumanian authorities where the Hungarian problem was also a subject, and that the Department, we were told, is monitoring the Hungarian situation in Transylvania. Yet is happened that former President Carter praised the human right record of Rumania to President Ceausescu at his last visit here in 1978; former Secretary of State, Haig left the Hungarian question unmentioned at his talk with Ceausescu in Bucharest last February. Also President Reagan made no reference of the suppression of Hungarians in his letters to the Congress in 1981 and 1982 recommending that the waiver authority granted by the subsection 402(c) of the Trade Act of 1974 be extended for another year. (But this latter might be the fault of the interested organizations not informing the White House in time.)

We are very much pleased that the question of Jewish emigration has ascended to become a major consideration in deciding the future of most-favored-nation status for Rumania. We would only like to emphasize that it would contribute greatly to a just governmental philosophy if violations of human and national rights, discrimination because of race, nation, creed, language and culture in Rumania would enjoy a similar, by all means higher degree of consideration in relation vis-a-vis Rumania. The overwhelming majority of Hungarians and others in Rumania feels bound to its historical homeland and does not desire to leave the country.

If one recalls that the number of Hungarians who were compelled to live though in their ancestral homeland but yet in foreign countries, amidst foreign languages and cultures, notably in Rumania, Czechoslovakia, Yugoslavia and the Soviet Union by the order of the peace treaties concluding World War I and II, amount now to 4 million, he must realize that any further denationalization in those countries will have catastrophal consequences for Hungarians as a nation the vitality of which works against overwhelming odds.

(4) We are aware that the problem of national minorities is a very complex one. It would be difficult, if not impossible to work out international regulations which are valid and appropriate in every case. But historical past, size, cultural development and, above all, the desire to preserve one's national identity are some of the most important factors to be considered. In the case of 4 million Hungarians, of it 2.5 million in Rumania these factors are very much present. To help them in their passive resistance against cultural and national extinction cannot be seen as an unrelated far away cause by those powers who brought about these conditions in peace treaties, such as England, France and Italy in 1919, additionally the United States and the Soviet Union 1947. I do not think that the Soviet Union ever feels moral responsibility to anything except to further its power politics. As far as I know, provisions in the Paris peace treaty of 1947 for the protection of national minorities are as little as nil. But—with all humility I say—this country has some moral responsibility, as a signatory power to the peace treaty. I may add that to my opinion—this responsibility may easily be reconciled to our foreign politcal interest (as it is recognized by our government) because as it looks Communist Rumania is thought to be the friend of the United States and our relations are close to that country.

(5) My personal opinion is, and it is adopted by all the Transylvania oriented organizations, that a single one line law could mean a turning point in all national and cultural suppression in Rumania. That would be a law recognizing the Hungarian as a second official language in entire Transylvania. This law would relieve Hungarians from the educational, cultural and linguistic suppression, and, of course, therefore it would face the strongest refusal on the part of the Ceausescu regime. But bringing up it as a possible solution of creating cultural balance and harmony in Rumania is worth mentioning it.

On a much smaller scale, but with more realistic hopes to achieve it, another one-line decree is a top priority for many Hungarian-American Transylvanian leaders. As you may know a Rumanian regulation forbids overnight stay of a foreign visitor in the homes of friends or relatives, except parents and children. Instead, the visitor has to go to a hotel to stay whether there is any in a reasonable distance or not. Almost any Hungarians in Hungary have relatives or friends in Transylvania. Most of them cannot afford a hotel or don't even find one close by, so Hungarians from Hungarians are cut off from each other not only by the borders but also by the Rumanian government's will. Violators are heavily fined or even imprisoned.

If in the next 12 months the hotel-decree could be rescinded hundreds-of-thousands would be benefited. I believe even the government of Rumania would end up on the plus side because the largest tourist traffic, the Hungarian could be revitalized to profit Rumania while the hotels now stay empty from Hungarian tourists because they do not come to Transylvania.

(6) All these writings, however, seem to serve no useful purposes other than to fill the files, if nothing concrete is coming out of them. I strongly believe that the Transylvanian Hungarian question should be subject of not only testimonies at a hearing but discussions on a person-to-person basis between those who represent here in the United States the Transylvania problems, became its experts and advocate and between the competent governmental organ. This way both parties can mutually acquaint themselves with the grievances on one hand, and with the limitations the government feels is bound to on the other.

With these thoughts in mind I respectfully suggest establishment of regularly scheduled meetings of a group of most active Transylvanian American leaders with members of the Subcommittee once or twice a year. These meetings would make possible some follow up communications and could bring down the Transylvania problem which seems to float in a vacuum in conjunction with the Subcommittee, to the earth of realities and eventual solutions, or at least slow but steady improvements might be forthcoming.

Hoping a favorable reaction for the above proposal.

Enclosures.

INDEPENDENT TRANSYLVANIA

Roughly the size of Portugal, or slightly larger than the State of Maine, Transylvania is situated on a high plateau in the eastern part of the Middle Danube or Carpathian Basin. Bastionlike, the eastern and southern arches of the Carpathian Mountians (the latter is also known as Transylvanian Alps) provide a natural border and barrier to the northeast, east and south that separate Transylvania from the original Rumanian provinces of Wallachia and Moldavia. The western border, less of a natural barrier, is marked by wide valleys and hilly regions, gradually descending to the Great Hungarian Plain.

The rivers of Transylvania spring from the inner ranges of the Carpathians, converge on the Hungarian Plain (except one) and discharge into the Tisza, the second largest river of Hungary. The river valleys serve as natural path for the main roads and railways which connect Transylvania with the center of Hungary. Indeed, geographically Transylvania is an inseparable part of the Carpathian Basin which is identical to the territory of historic Hungary.

When the Hungarians had resettled in the Carpathian Basin and formed a new country of Europe 1086 years ago (or according to more recent scientific findings much earlier), it was a geopolitical necessity to occupy the land up to the protective ranges of the Carpathian Mountians which surrounded the area to the north, east and south. They extended their control to Transylvania, too and started to populate the land—mostly in the valleys and plateaus. High mountains in Transylvania, and huge marshlands in the inside of Hungary had limited the area suitable to resettle and cultivate the land.

Due to powerful outside influences the political status of Transylvania has undergone some significant changes in the course of history, but culturally and in the national awareness the province has always remained, a Hungarian land.

Officially and factually Transylvania was part of Hungary from the forming of that country up until the middle of the 16th century when the Turkish occupation of the central part of the county separated the small unoccupied western territory from the eastern part which included Transylvania. While the narrow stripe of free Hungary on the west became inevitably dominated by the neighboring great power, the Austrian Empire Transylvania, surrounded on three sides by Turkish occupied lands, had to take care of her own survival and security by herself. Austria was not willing, nor able to protect far-away Transylvania from the Turks. Thus the province went independent; established her own government, National Assembly and elected head of state the "fejedelem" (translated as "prince"). The Principality of Transylvania was formed under the protectorate of the Turkish Sultan with mutual benefit for both, the Turks in enjoying the stratigic advantage of not having to use their extended armies for the conquest, pacification and occupation of Transylvania, and for Transylvania in being spared the suffering of the constant warfare and having the freedom to peaceful development of the land. Peace and prosperity, peaceful coexistence of Hungarian, Saxon and Rumanian population characterized life in indendent Transylvania disturbed only by occasional outburst of internal strife and devastating raids of the land by Turkish and Tatar hordes, the other times by marauding Austrian military.

The Princes of Transylvania have not considered the independence of Transylvania as a permanent arrangement; their desire for the reunification of the province with the mother country, Hungary has never faded and time to time it became a concrete political goal. For that purpose, not once, Transylvania waged war against Austria alone or in alliance with other European powers. Even so that often these wars ended in stalemate for both parties, the peace treaties brought positive results for the Hungarian cause by obliging the Austrian emperors to respect the Hungarian constitution and the religious freedom for Protestants in Austrian dominated Hungary. Gabor (Gabriel) Bethlen, the greatest Transylvania prince, was so successful that for his victory over the Austrians he became elected as king of Hungary. Transylvania was obliged to pay tax to Turkey, but so was Austria, too. Yet the relation with Turkey was loose enough not only for having free hand for the princes in internal affairs but also to conduct reasonable freely foreign relations. With her alliances with Western European countries, Transylvania was regarded by them as a sovereign country. Indeed, Transylvania is a signatory power at the peace treaty of Westphalia in 16 concluding the 30 years European Religious War.

The 150 years of independence served other Hungarian purposes of vital importance. In these trying times Transylvania became the guardian of Hungarian culture, tradition, education, and contributed immensely to the continuity of Hungarian statehood and national survival in the period when the center part of Hungary fought a life and death struggle against the Turkish armed forces. Indeed, Transylvania, in her spirit, in her domestic and foreign policy, could have been named "Hungary" more justifiedly than the small, truncated and habsburg dominated western territory which was the official Hungary.

Transylvania has had a special place in the history of the Rumanian nation, too. However, because of the relatively late development of the Rumanian people into a more homogenous nation, the independent era of Transylvania could possibly not have such a historic role for Rumania as she had for Hungary. Though the Rumanian population, numerically as a minority, was there, and increased swiftly by several waves of immigration from the neighboring Rumanian provinces, we can speak about modern Rumanian national awareness only since the 19th century. Perhaps the most significant role of Transylvania for Rumanians is the remarkable fact that the roots of the Rumanian intelligentsia developed rather in Transylvania than in the original Rumanian provinces of Moldavia and Wallachia. This is likely to be attributed to the influence of the much earlier existence of Hungarian (and Saxon) middle classes and their overall and outstanding cultural achievements.

Yet Rumanian historiography appears to be set out to change the history of Transylvania, and particularly that of independent Transylvania. Historical references to that Hungarian era of the province almost ignore the fact that the land was governed by Hungarian leaders who had not only administered the country, assured peace and domestic tranquility conductive to economic progress but also contributed a great deal to the growth of education and culture, including Rumanian culture. Rumanian historians tend to pass over 170 years of Transylvanian history and play up a short episode of 10 months when in 1599 Voivode Michael of Wallachia, aided by rebellious Śzekely armed groups and supported by Austria, defeated the Transylvanian government troops and proclaimed himself as the ruler of Transylvania. It seems the Rumanian historians try to misrepresent Transylvanian history by creating a crassly disproportionate imagery of the Rumanian role, while keeping silent on the real historical facts.

To set the record straight from these distortions, we list below the names of the rulers of independent Transylvania:

HUNGARIAN HEADS OF STATE OF TRANSYLVANIA

Isabella (King John Zápolya's widow of Polish origin)—1541-1551; (Transylvania reunited to Hungary—1551-1556; Isabella (second time)—1556-1559; John Sigismund of Zápolya—1559-1571; Stephen Báthory (King of Poland after 1576)—1571-1581; Christopher Báthory—1581-1586; Sigismund Báthory—1586-1598; Andrew Báthory—1598-1599; Moses Székely—1603; Stephen Bocskay—1605-1606; Sigismund Rákóczi—1606-1608; Gabriel Báthory—1608-1613; Gabriel Bethlen—1613-1629; Catherine of Brandenburg (Gabor Bethlen's widow of German origin)—1629-1630; Stephen Bethlen—1630; George Rákóczi I—1630-1648; George Rákóczi II—1648-1658; Francis Rhédey—1658-1659; Ákos Barcsay—1659-1660; John Kemény—1660-1662; Michael Apafy—1662-1690; Francis Rákóczi II—1705-1711.

NON-HUNGARIAN HEADS OF STATE OF TRANSYLVANIA

King Rudolph of Habsburg—1599-1903; Voivode Michael (Rumanian)—1599-1600; King Rudolph of Habsburg—1603-1605; King Leopold I of Habsburg—1690-1705.

Chairman GIBBONS. Thank you, Mr. Lote.

Mr. deKun.

STATEMENT OF TAMAS A. deKUN, EXECUTIVE VICE PRESIDENT, AMERICAN TRANSYLVANIAN ASSOCIATION

Mr. DEKUN. Thank you, Mr. Chairman. Good afternoon, Mr. Chairman, and ladies, and it's a pleasure to be here.

I would like to thank you for the opportunity to testify on behalf of the American-Transylvanian Association.

Whereas section 402 of the Trade Reform Act of 1975 established the dedication of the United States to the cause of fundamental human rights as the main purpose of the Trade Reform Act. Despite all this, the curtailment of fundamental human rights and cultural freedoms persists in the Socialist Republic of Romania resulting in devastating effects upon the national minorities.

As we read in the June 21, 1982, press release, the President's and Subcommittee on Trade's main concern is the emigration performance of the Romanian Socialist Republic.

May I ask the question: Why are we so concerned with the fate of a few thousand families who want to emigrate and why are we forgetting the fate of Europe's most numerous and most cultured minorities, the 21/2 million Hungarians and 400,000 Saxons?

In hearings over the past years, on many occasions we presented the atrocities of the Socialist Republic of Romania toward her minorities and the undeniable facts are known worldwide.

These conditions are known by the members of this committee and we do not wish to waste time in a lengthy reiteration of the current continuation of genocide.

Briefly, the United Nations Ad Hoc Committee on Genocide accepted the following definition by which the crime of cultural genocide is being committed:

Systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value, and of objects used in religious worship.

Romania today is consistently committing these violations as excerpted from the U.N. document.

Additionally, we have received information from sources who have recently traveled in Transylvania. These sources are American citizens of Hungarian origin who went to visit their relatives. They have told us that electrical service is grossly curtailed and shut off without warning.

They were unable to purchase food stamps during their stay, and their relatives were unable to feed them due to their inability to do the same.

These American Hungarians also reported that single-family Hungarian homes are being confiscated by the Communist government, torn down and replaced with apartment buildings which are inhabited mostly by Romanians "imported" from the Regat.

It has also been reported that ordinary citizens are not allowed to travel by car from one county to another county.

Gasoline is also allotted by a rationing system of 4 gallons per car per month. It is a total outrage that such oppression is occurring in this modern world of ours.

As a reward for her independence from Moscow, Romania was granted most-favored-nation status by Congress. That decision overlooked the fact that this independence was not established on respect for human liberty. In reality, Romania today is the most blatant internal oppressor of all the Soviet satellites.

Free emigration for a small percentage of these minorities will not cure the problem. More importantly, the 2½ million Hungarians and 400,000 Saxons want to live, work, and prosper in their 1,000-year-old homeland.

The Romanian Socialist Republic is located approximately 4,000 miles from the United States, bordered on one side by the Soviet Union and on three sides by her faithful satellites.

Therefore, it is very difficult to assume that she is capable of implementing trade and foreign policies independent of Moscow.

Their ulterior motive is to take advantage of our goodwill and play upon the sympathy of our Nation.

In our testimony before the Senate Subcommittee on International Trade on July 30, 1980, we submitted astronomic figures loaned by various financial institutions to the Romanian Government.

These loans are coming to maturity within the next year, and it is widely known that the Romanian Government has defaulted on even their interest payments.

According to the Export-Import Bank, a $120 million loan was approved in 1980, but never dispersed.

These loans are grossly misused by the Ceausescu Government for not only the modernization and expansion of Romania's notoriously brutal secret police, but furthermore, for fraudulation of several 100-year-old Hungarian artifacts.

To further this point, ancient Hungarian tombstones have been exchanged with falsified Romanian names.

Considering that Romania in her 100-year-old history has never upheld a defense treaty but very cleverly "turned coat" to serve only her own interests, it must be reemphasized that every American dollar which is appropriated to aid Communist countries, such as Romania, is not only wasteful, but suicidal.

Moreover, in the event of a political coup within Romania, Soviet occupation within 72 hours is inevitable. Consequently, our investments will become irretrievable.

Finally, we adamantly urge the committee to investigate the State Department's favoritism of the Ceausescu Government. Past findings of flagrant cultural genocide by Amnesty International have been flatly dismissed by the State Department's Office of Eastern European Affairs.

Mr. Karoly Kiraly, a former high-ranking Romanian Communist Party functionary and an ethnic Hungarian, has published letters worldwide in leading newspapers regarding the systematic assimilation of the Transylvanian Hungarians by the Romanian Communist government.

As conscientious and patriotic congressional representatives and citizens, we must examine how the renewal of the trade agreements would enhance the welfare and economic stability of our fellow citizens.

Consequently, we request that the committee revoke the extension of the most-favored-nation status to Romania.

Thank you.

[The following was submitted for the record:]

Additional Testimony for the Record, by Tamas A. deKun, American-Transylvanian Association

IS RUMANIA A RELIABLE POLITICAL PARTNER FOR THE WESTERN NATIONS?

"Rumanian policy has always rested on the axiom that Rumania must enter wars at a minimum risk, always find a place at peace conferences at the victors' side, so as to extract the greatest advantages at the cost of the smallest sacrifice possible." (Aldo Dami, the great Swiss expert of national minorities' problems.)

To exemplify this statement we would like to mention a few facts from the 20th century:

Rumania extended the Austro-Rumanian Treaty of 1883 for a decade in 1913. Already in 1916 Rumania had joined the Allies which was a stab in the back to her former allies "because she anticipated our victory not for the sake of our just cause . . . and when she left us in the lurch on May 8th, 1918, having signed a peace treaty, which Clemenceau qualified as a disgraceful art of cowardice, she did so for fear of having backed the wrong horse. In November 1918 she sided with us once more, falling into the back of Field Marshall Mackensen's retreating armies, because we were victorious and she was detemined to get her share of the booty . . . "What a damned audacity," exclaimed Clemenceau. (Former French Senator Henri Pozzi: Les Coupables, Paris, 1934, pp 95-96).

When the archives of the French Ministry of Foreign Affairs, for 1918-1919 were opened in 1972, they shed new and startling lights on the Transylvanian affairs that led eventually to the Treaty of Trianon. It became quite evident that Clemenceau had to pay off the Rumanians at once with Transylvanian territory they coveted, because of the sudden crisis on South Russia where allied troops under French command were being defeated by the Red Army and quick reinforcements were needed from neighboring Rumania. That was the price for the promised Rumanian support of the treatened French force and that military situation was perpetuated and eventually transcribed politically into the Treaty of Trianon in 1919. The sole victor was Rumania, again.

To justify their enormous territorial gains because of the Treaty of Trianon, the Rumanians developed a totally undocumented theory suggesting that they were the descendants of the Dacian-Romans and consequently Transylvania belonged to them by historical rights. We do not want to cite a long list of the most distinguished scientists of this century who rejected that theory, except maybe one, Pierre George, the world renowned professor of the Sorbonne, Paris, and of the Institute d'Etudes Politiques de l'Universite de Paris. he wrote: "The theory of the so-called continuity making the Rumanians descendants of the Romanized Dacians was actually abandoned. The gap of a thousand years between the withdrawal of the Romans from Transylvania '3rd century' and the date of the earliest existing document that accounts of the presence of the Rumanians (so-called Vallachs) in that country (Charteu of Fogaras, in 1222) creates a major difficulty for such assimilation. On the contrary, the archives of the Balkans and the linguistic studies allow us to pursue a slow process of the pastoral Vallach population from the Macedonian and Albanian borders to the Danubien plains between the 10th and 14th centuries. . . . The Rumanian language and civilization were formed in the Balkans. . . . The Rumanian nation is the most synthetic of the nations of Central Europe. They crossed the path of the Hungarians which have the benefit of being the earlier settlers. . . ." From: L'Europe Central, pp 239–240, by Pierre George and Jean Tricart, Paris, 1954.

Even Lloyd George who was one of the leading characters during the discussions of the Treaty said in 1928: "All the documentation we were furnished with by certain allies during the negotiations with said country, were falsehoods and trickeries, we have decided on that." (Henry Pozzi: La Guerre Revient, Paris 1933, p 303). It makes one think of the terrifying words allegedly pronounced by Frederick II of Prussia: "I grab, I loot, and I steal, thereafter it is up to my lawyers to find the appropriate justification."

In the same fashion, Rumania signed a treaty with France and Great Britain in 1939, to secure her frontiers vis-a-vis Hungary. Yet, in the same year she signed a treaty on economic matters with Germany. The German-Soviet non-oppression pact of the same year left Bessarabia in the sphere of interest of the Soviet Union. On June 28, 1940 the Soviet Union occupied Bessarabia and northern Bukovina. The Tatarescu government was helpless, but then renounced the French-British security pact and requested openly from the German Reich to secure her new frontiers and to send military missions to Rumania. On September 1, 1940 General Ian Atnonescu demanded that the Rumaninan King Carol to renounce his power as supreme military commander and invite the extreme-right Iron Guard into the government.

Mass demonstrations against the King turned the situation into a crisis. They protested the decision of the "Second Vienna Award," an arbitration that the Rumanian government requested. The decision returned Northern Transylvania to Hungary again—where it belonged for 1000 years, except for the 20 years after the Treaty of Trianon. ("Hungary's right to Transylvania is much more justified, than is France's claim to Alsace-Lorraine."—Aldo Dami: La Hongrie de Demain, Paris 1932, pp 95–96. The latter's population is 80% Gemanic and belonged to France for only 250 years; whereas Transylvania belonged to Hungary for 1000 years.) King Carol renounced his throne in favor of his son and left the country. Antonescu became head of state (conducatur statuli) and formed a coalition government with the Iron Guard. The Guard committed enormous atrocities, killed 64 political antagonists, among them the famous historian Nicolae Jorga. Antonescu visited Hitler on November 23, 1940 and joined the Axis Powers. The next year Hitler promised to reward Rumania with Transylvania. Rumania took part in the military operations against the Soviet Union. Then in 1943 she began secret negotiations with the Allies again. The following year Hitler told Antonescu that the Hungarians lost any claim for Transylvania because of their neutral attitude, but asked Antonescu not to talk about it. On August 23, 1944 the Soviet troops encircled the Rumanian-German forces. The King arrested Antonescu and handed him to the Communist party. On August 25, 1944 Rumania declared war on Germany.

Now, how is it at the present? Rumania is widely considered by the western nations as a reliable party and one which can be turned away from the Communist Block. This is wishful thinking. As in 1956, when the entire free world showed its sympathy toward Hungary's new tragic drama, Rumania ordered mass arrests in

Transylvania and hundreds were put to death. In one trial alone in Cluj, thirteen out of fifty-seven accused were executed (George Bradley, American journalist, the Reporter of November 1964). Contrary to the western nations, Rumania did not even want to take a neutral attitude but competed with the Soviet terror. When Rumania senses the weakness of the western powers, she turns to the other side.

Currently, the western world has to live in a very dangerous crisis because of the Iranian and Afghanistan situation. The entire free world's future is at stake. Rumania true to her tradition, plays the Russian-tune now, as it became obvious recently. Why? Again "to extract the greatest advantages at the cost of the smallest sacrifice possible."

Mr. **Pease** [presiding]. Thank you very much, sir. Thank you, and we will go to our next witnesses.

The next witness is Mr. Lempicki, cochairman of the American-Romanian Cultural Foundation.

STATEMENT OF THAD LEMPICKI, COCHAIRMAN, AMERICAN-ROMANIAN CULTURAL FOUNDATION, INC.

Mr. **Lempicki**. Mr. Chairman, we appreciate the opportunity and invitation from the committee to testify on this subject.

I am Thad Lempicki. I was to appear with our chairman, Mr. Niculescu, but he was unable to appear due to unexpected surgery.

To introduce our foundation, our offices are in New York City. Our trustees, patrons and members are all Americans who are active in the various professional fields. Most of our group are very distinguished and well-recognized people in the fields of medicine, science, business and other professional fields.

We should also state that our membership is not primarily of Romanian family background, but also includes nearly every ethnic background found in all of Europe. We may honestly say that we have a very American mix of ethnic backgrounds.

The common bond we share in the foundation is our interest in expanding and strengthening America's international policies and position, especially in Romania.

We wish to state that we join and support President Reagan, State, Commerce, and other important Department officials in recommending continuation of waivers permitting further extension of most-favored-nation tariff status for Romania.

We strongly believe and agree with the President and other officials that continuation of MFN for Romania is essential if we as a nation are to continue to develop bilateral economic relations with Romania.

There can be no doubt that without MFN trade status for Romania, the present trade level which is at the billion-dollar level would never have been developed.

We should also recognize that in this billion-dollar trade, America has consistently enjoyed a very favorable balance-of-trade position as Romanian purchases of American products average nearly three to one.

We also recognize that there has been a steady growth in America's share of the Romanian market and that presently America is enjoying the position of being ranked third among all nations that sell product to Romania.

This expansion of trade in America's favor could not have happened without MFN nor can we continue this favorable growth trend without further extension of MFN tariff status to Romania.

In addition to the tangible commercial benefits derived from trade and especially one that consistently provided America with a favorable balance of payments, we must also highlight the clear fact that this has also resulted in strengthening and expanding political, cultural, and other relations with many various benefits generated for and enjoyed by both countries.

There is no doubt in our minds and it is supported by State and Commerce Department's testimony over the years that trade was the foundation that permitted both America and Romania to expand dialog on many different subjects, increase levels of trust and respect and to cement these improved relations in all areas.

We should also properly recognize that since MFN was initially granted to Romania in 1975, the American and Romanian Governments, as well as American and Romanian businessmen, have not, to the best of our knowledge, engaged in any major disagreement that was not resolved equitably and sincerely by the parties.

Romania, with America's encouragement, has made many changes in its commercial laws in order that those doing business with Romania would do so in a more conducive atmosphere.

America's trade with Romania has been very successful in helping bring Romania into the international market and to integrate Romania's economy with that on the international level.

There are many benefits inherent in encouraging further integration in and reliance upon the American and international trading economy and system other than with Warsaw Pact nations.

On another important subject, we are convinced and agree with past testimony of our State Department that Romanian emigration is being permitted and that such over the years reflects a steady improvement.

Much of this improvement being directly the result of both American and Romanian Government officials being able to candidly and sincerely discuss even the most sensitive areas in the emigration issue and make progress.

In concluding this testimony and recommendation, we again recommend continuation of MFN tariff status for Romania. Our recommendation recognizes major gains over the years in the economic, human rights, emigration and political areas that would not have been possible without MFN tariff status for Romania.

Without further extension of MFN, cementing what has been gained and further increase in these areas will be impossible.

Termination of MFN to Romania will also be a major setback to our foreign policy objectives. There can be no doubt that extension of MFN to Romania is in America's overall best interests and is the most practical, prudent, and beneficial course of action for us to take.

A major reversal in our foreign policy at this time will no doubt severely damage Romania's economy.

Over the years, we have encouraged Romania to trade with America. This trade grew until American trade became a very important part of Romania's economic structure.

The reversal of our policy, as many propose, will only serve to destroy all progress after these years of efforts. It can't be restored after 1 year's suspension.

This reversal in our foreign policy has even further undesirable impacts as it will essentially be interpreted as a warning to all small nations of the world that America can reverse itself quickly and overnight.

Whatever you decide, we urge that your decision be made on the basis of what is best for America's interests.

Thank you.

[The prepared statement follows:]

STATEMENT OF B. NICULESCU, CHAIRMAN, AND T. LEMPICKI, COCHAIRMAN, REPRESENTING THE AMERICAN-ROMANIAN CULTURAL FOUNDATION

SUMMARY

Mr. Chairman and distinguished members of this subcommittee, we personally welcome and appreciate this opportunity and invitation from the committee to testify on the subject of further extension of Most Favored Nation Tariff Status for Romania.

I am Mr. Barbu Niculescu and am the Chairman and President of the American Romanian Cultural Foundatión. With me today and joining me in presenting the Foundation's recommendation is Mr. Thad Lempicki, Co-Chairman and Vice President of our Foundation. Our offices are located at 6 East 80th Street in New York City.

To introduce our Foundation, we can identify our Trustees, Patrons and Members as being Americans who are active in the various professional fields. Most of our group are very distinguished and well recognized people in the fields of medicine, science, business and other professional fields. We should also state that our membership is not primarily of Romanian family background but also includes nearly every ethnic background found in all of Europe. We may honestly say that we have a very American mix of ethnic backgrounds.

The common bond we share in the Foundation is our interest in expanding and strengthening America's international policies and position, especially in Romania.

We wish to state that we join and support President Reagan, State, Commerce and other important department officials in recommending continuation of waivers permitting further extension of Most-Favored-Nation Tariff Status for Romania.

We strongly believe and agree with the President and other officials that continuation of MFN for Romania is essential if we as a nation are to continue to develop bilateral economic relations with Romania. There can be no doubt that without MFN trade status for Romania, the present trade level which is at the billion dollar level would never have been developed. We should also recognize that in this billion dollar trade, America has consistently enjoyed a very favorable balance of trade position as Romanian purchases of American products average nearly 3 to 1. We also recognize that there has been a steadygrowth in America's share of the Romanian market and that presently America is enjoying the position of being ranked third among all nations that sell products to Romania. This expansion of trade in America's favor could not have happened without MFN nor can we continue this favorable growth trend without further extension of MFN tariff status to Romania.

In addition to the tangible commercial benefits derived from trade and especially one that consistently provided America with a favorable balance of payments, we must also highlight the clear fact that this has also resulted in strengthening and expanding political, cultural and other relations with many various benefits generated for and enjoyed by both countries. There is no doubt in our minds and it is supported by State and Commerce Departments' testimony over the years that trade was the foundation that permitted both America and Romania to expand dialogue on many different subjects, increase levels of trust and respect and to cement these improved relations in all areas.

We should also properly recognize that since MFN was initially granted to Romania in 1975, the American and Romanian governments as well as American and Romanian businessmen have not to the best of our knowledge, engaged in any major disagreement that was not resolved equitably and sincerely by the parties. Romania with America's encouragement has made many changes in its commercial laws in order that those doing business with Romania would do so in a more conducive atmosphere. America's trade with Romania has been very successful in helping bring Romania into the international market and to integrate Romania's economy with that on the international level. There are many benefits inherent in encouraging further integration in and reliance upon the American and international trading economy and system.

On another important subject, we are convinced and agree with past testimony of our State Department that Romanian emigration is being permitted and that such over the years reflects a steady improvement. Much of this improvement being directly the result of both American and Romanian government officials being able to candidly and sincerely discuss even the most sensitive areas in the emigration issue and make progress.

In concluding this testimony and recommendation, we again recommend continuation of MFN tariff status for Romania. Our recommendation recognizes major gains over the years in the economic, human rights, emigration and political areas that would not have been possible without MFN tariff status for Romania. Without further extension of MFN, cementing what has been gained and further increase in these areas will be impossible. Termination of MFN to Romania will also be a major setback to our foreign policy objectives. There can be no doubt that extension of MFN to Romania is in America's overall best interests and is the most practical, prudent and beneficial course of action for us to take.

STATEMENT

Mr. Chairman and distinguished members of this committee, we sincerely appreciate this invitation and opportunity from this committee to present our recommendations concerning further extension of Most-Favored-Trade tariff status for Romania. We sincerely appreciate invitations in past years and also look forward to being recognized and honored by invitations in future years. We consider it to be a great honor to have our position on MFN for Romania to be included in the committee's deliberations and decision on this most vital matter.

We take this opportunity to register our recommendation for further extension of MFN trade status for Romania. We join with and strongly support President Reagan and the State and Commerce Departments and other government officials in this same recommendation that it is in America's and mankind's best interests that Romania's MFN trade status be extended for an additional period ot time.

It is clearly evident that since MFN was first granted to Romania in 1975 that there has been considerable growth in trade with the present level being an annual trade volume of one billion dollars. Benefits are multiplied in America's favor as we have over the years enjoyed a favorable balance of payments that is nearly three to one in America's favor. This steady growth has resulted in America becoming Romania's third largest and most important trading partner and exporter of products to Romania.

We must recognize properly the fact that the primary purpose of the Trade Act is to encourage trade. In this instance, the Trade Act has been very successful and will continue to magnify into greater and higher levels of trade between America and Romania.

The following briefly discusses other benefits generated by MFN tariff status being granted to Romania:

1. Human rights have benefitted from MFN and will continue to do so in future years.

One important right is that of emigration being available to all citizens of every nation of the world. In Romania's case, its performance over the years on this very sensitive subject has been reflecting an overall improvement over the years. This improvement has been documented by our State Department which is charged with the responsibility to closely monitor and report on progress and performance in this area.

Findings by the State Department have been reported in these hearings in each year since MFN was first granted to Romania in 1975 and have been favorable in that an overall improvement has taken place. Romania's willingness to maintain an open dialogue on this subject and sincerely discuss even the most sensitive aspects of this subject have been identified by our officials as being a major contributor to success in this area.

We agree that much of this success is the direct result of MFN trade status as the high confidence levels developed in trade carried forward to the subject of emigration as well as mnay other vital areas.

To deny MFN tariff status extension would have a major unfavorable impact not only on gains made in the past years but also on the favorable gains available in the near future.

2. Another important consideration is that Romania's sincere desire to cooperate has resulted in many of Romania's restrictive commercial laws being revised in accordance with American recommendations.

This change not only greatly benefitted and protected American business interests but also made such benefits available to other Western Nations desiring to do business with Romania. We know of no instance where an American businessman was not able to quickly and fairly resolve a commercial problem with his Romanian counterpart.

3. One very beneficial result generated by MFN was to further integrate Romania's economy with America's and that at the international level. This integration has been steadily expanding with very obvious benefits to America, Romania and the remainder of mankind. Continuation of MFN tariff status will serve to further integrate Romania's economy with international trade and other nations.

4. The expanded dialogue and increased respect and confidence levels enjoyed by Romania and America is one major result of increased trade made possible by MFN, enabled American and Romanian officials to openly discuss many sensitive subjects where American and Romanian leaders still disagree. While some disagreement may exist, an expanded economic exchange coupled with an expanded cultural and political exchange are the means to encourage change in areas where America and Romania may disagree. Trade opens many avenues to solutions of major non-economic problems and in most instances, trade is the foundation upon which nations build strong, beneficial and long lasting relationships. To deny MFN to Romania would have a devastating effect on this most important advantage that took years to develop.

5. It is also in America's best interests to encourage Romania to continue to maintain its rapidly developing independence as a sovereign nation. We must do everything possible to preserve Romania's independence and formulation of its own foreign policy. To maintain its independence requires a strong economy which is one of the objectives that MFN will make possible. To be dealt an economic blow such as deferral of suspension of MFN status for Romania would serve to force Romania to subject itself to tighter controls by Moscow with the final end result being loss of its precious sovereignty. America cannot establish a policy whereby one time we encourage independence by establishing an independent economy in a country such as Romania and then on another occassion we destroy this built up independent economy by terminating MFN trade status to the same nation. Our country's foreign policy that includes MFN trade status must be consistently applied each year for long periods of time.

SUMMARY

In conclusion, we must state that we believe that continuation of MFN tariff status for Romania is vital to cementing all the progress made since MFN was first granted in 1975 and to encourage future development of an enduring, cooperative and mutually beneficial relationship between America and Romania.

We also believe that Romania's past performance in the sensititve area of emigration has been steadily improving over the years and that this record of improvement justifies extension of MFN.

Continuation of MFN is also vital to continued growth in cultural and political areas as well.

After extensive consideration of all factors, the Foundation strongly recommends the extension of the President's authority to waive Section 402 of the Trade Act and extend MFN tariff status for Romania.

Mr. **Pease**. Thank you very much, sir. I appreciate your testimony. We will make your statement part of the record, of course.

Mr. **Lempicki**. Thank you.

Mr. **Pease**. May I call next, Mr. Aurel Marinescu and Aristide Nicolaie.

I must apologize for this, but the lights up there indicate that the vote is on and will be followed by another vote.

I don't think it would be productive to try to get the committee convened again. What I would like to do is promise you that we will put both of your statements in the record of the committee, and to give you each about 2 minutes to summarize your statements, then we will have to conclude the hearing.

Mr. Marinescu, would you go first.

STATEMENT OF AUREL MARINESCU, HOLLIS, N.Y.

Mr. MARINESCU. My family case is not singular. Hundreds of families remain divided. For every person in Romania who is refused permission to emigrate, there are many more who are much too fearful even to apply because of the abuses, mistreatment, and persecution to which emigration applicants are subjected.

As a Soviet client State, Romania, in the true nature of totalitarian communism, frowns upon any of its captive citizens attempting to leave its borders.

This is certainly not to say that no one manages to emigrate from Romania. Each year, the Romanian dictatorship allows a token quantity of people to leave. In this manner, the Romanian regime hopes to mollify the West while maintaining its antiemigration policy.

Any objective analysis as to whether the Romanian Government has abided by its commitments to the United States to permit emigration for family reunification must, without question, conclude in the negative.

In my view, the principal criterion for determining whether to continue MFN trade status to Romania should be whether the Communist leadership of Romania has unquestionably displayed a respect for its commitments to the United States and whether it specifically has abided by the provisions of section 402 (Jackson-Vanik amendment).

We must not make this determination on the basis of whether MFN treatment will be economically advantageous to the Romanian economy and to a very few American businesses.

Using the criterion of whether Romania's despots have showed that they respect the human right to emigrate in order to be with one's family, one must undoubtedly decide that Romania not continue to enjoy MFN treatment.

The institutionalized terrorist organization that rules Romania under the auspices of the Soviet Empire needs MFN status because under the guise of trade, they send agents to the United States to spy on American industry and to buy materials and technology which have the capacity for use in the Soviet military.

Through good relations with the United States, President N. Ceausescu hopes to demonstrate to the Romanian people that America considers him to be a worthy individual.

It is essential to make a clear distinction between the people of Romania and the illegitimate group which claims to be Romania's leadership. The Communist regime in Romania is kept in power by police control of the State. And, of course, standing behind him is the full might of the Soviet Union.

The independent foreign policy for which Romania is renowned is deceptive. This apparent independent stand is orchestrated by Moscow as a means of gaining insight into countries with which the Soviet Union had bad relations and as a means of creating the appearance that the Warsaw Pact nations do not walk in lockstep.

To continue giving Romania MFN status would demonstrate to them and to the rest of the world that we do not take seriously the commitments which other nations make to us.

Mr. **Pease**. Will you suspend for just a second. I have to find out the status of the vote, if I may.

I will have to ask you to finish up in 1 minute so Mr. Nicolaie will have an opportunity.

[The prepared statement follows:]

Statement of Aurel Marinescu, Hollis, N.Y.

SUMMARY

My full statement gives details of my experience as an emigrant from Romania with trying to re-unite my family here in the United States.

My statement details the acts of persecution committed against members of my family who have tried to emmigrate from Romania.

I state also in general terms the reasons for which M.F.N. trade status is inappropriate for Romania at this time.

The essence of my statement is that because Romania has blatantly violated the section #402 Jackson-Vanik amendment it should not continue to receive M.F.N. treatment.

STATEMENT

Mr. Chairman, it is with a very special appreciation for the democratic institutions that set this nation apart from a world filled with tyranny that I come before this committee today.

To be testifying before a committee of the democratically elected Congress of the most free nation ever to exist in our world is an experience for which I shall never stop giving thanks to my Creator.

My wife, my son and I emigrated to the United States from Romania 7 years ago. We are now blessed with American citizenship. While in Romania I had been political prisoner for a total of 13½ years in Romania's goulag.

Today I testify as a Romanian emigrant who after several years in America is still persecuted by the Romanian communist regime in that they are preventing us from re-unifying our family.

About 3 years ago my sister-in-law, Antoneta Mihai, her husband, Dumitru Mihai, and their daughter decided to emigrate from Romania to join us here. After applying to the Romanian authorities for an exit visa they were subjected to severe persecutions.

The most heinous act committed against them was that the Romanian K.G.B. physically brutalized my brother-in-law, Dumitru Mihai on the streets of Bucharest.

Because of the severity of this case the American Government became intensively involved in working to persuade the Romanian authorities to respect the rights of my sister-in-law's family and allow them to leave Romania to be re-unified with us in the United States. After 2 years, on October 16, 1981, my sister-in-law and her family finally managed to leave Romania. My sister-in-law's husband did leave something behind—his sense of smell, which the Romanian stormtroopers took from him in their criminal assault.

It does please me to say that they are doing very well in their new adopted land. However, it pains me to say that another crisis has arisen in my family which has already suffered so much.

I have a brother-in-law named Gheorghe Dragomirescu whom my wife practically raised as her child. He and I, too, have always been very close. My brother-in-law, who is by profession a physical education instructor is married and has a 13 year old daughter. His wife's name is Anca-Mihaela and their daughter's name is Cristina. They still live in communist Romania. They reside at str. Drumul Murgului No. 4 bloc 2 bis. etaj IO. apt, 4I. sector 3. Bucharest.

My brother-in-law's problem began a short while before the Mihai family left Romania. We had sent my brother-in-law a number of parcels and letters which he never received. I am certain that the Romanian K.G.B. confiscated these correspondence.

In November 1981 my brother-in-law and his family applied to emigrate to the United States. At the end of November they received their first refusal from the Romanian government.

On January 6, 1982, my brother-in-law was fired from his job of 20 years allegedly for incompetence. Also, his wife who works as a draftswoman had her salary reduced without any explanation. A few months ago, 2 times within a period of 4 days my brother-in-law was summoned to an office of the Romanian K.G.B. where he was interrogated. He was mainly asked questions about my wife and myself. The security agents wanted to know what we do in the United States. My brother-in-law tried to explain that we work in factories but they indicated that they were not interested in our regular occupations. What they were really asking is what activities we were involved in the area of government intelligence, security, etc.

Of course, the simple truth is that my wife and I are nothing more than private citizens.

Because my brother-in-law could not tell the police what they wanted to hear they quite plainly told him that because he refused to cooperate he would receive 15 refusals to his application for emigration and that he and his family would never leave Romania. Thus far they have received 3 refusals.

More recently, during an interview for his visa at the Department of Passports the Romanian police offered him a passport in exchange for which he would have to become an agent for the Romanian secret police, in the United States.

He immediately refused this offer. At the end of the interview he was told that he would be called back to sign a document which states that he is not willing to serve communist Romania nor its internationalist cause.

Subsequently, on May 21, 1982 my brother-in-law was called by the same security police at the Dept. of Passports and told that because he and his family had asked for exit visas he would be punished.

Because of my familiarity with the methods of the Romanian security police (Romanian K.G.B.) I am terribly concerned for my brother-in-law's safety, indeed for his very life.

Approximately 3 weeks ago my brother-in-law received a letter instructing him to go to an office of the Bucharest police. He did not respond to this letter. He was then called by telephone and again told to report to the police. He said to the caller that he had no problems with the police and did not understand why they wanted to see him. He was then told that although he was to go to the Bucharest police the actual office which wanted to see him was part of the Interior Ministry. Out of fear for his well-being my brother-in-law did not go. At June 25, 5 a.m. members of the Bucharest police came to my brother-in-law's apartment and tried to gain entrance. My bother-in-law refused to let them in. The police officers then tried to break the door open. They were unsuccessful. They left, and on the way out told the superintendent of the building that they would be back with tools to break in.

My brother-in-law left the apartment with his family and drove around Bucharest. He decided to seek help at the American Embassy. At the Embassy gate a Romanian police-guard asked my brother-in-law his name and then refused to permit him to enter into the Embassy. As my brother-in-law was speaking to the guard, his wife and daughter ran into the Embassy. The guard after a while finally allowed my brother-in-law to enter the compound.

My brother-in-law spoke with consul James W. Vessey III, who essentially told him that the Embassy could not interfere in the internal police matters of Romania.

Consequently, they left the Embassy. My brother-in-law's wife and daughter returned to the apartment and were informed that the police had been there 3 times again looking for her husband. My brother-in-law spent a few days away from the apartment and then returned resigned to waiting this situation out and facing up to what the police wanted with him should they show up again.

But they never came back.

My family case is not singular. Hundreds of families remain divided. For every person in Romania who is refused permission to emigrate there are many more who are much too fearful even to apply because of the abuses, mistreatment and persecution to which emigration applicants are subjected.

As a Soviet client state Romania, in the true nature of totalitarian Communism, frowns upon any of its captive citizens attempting to leave its borders. This is certainly not to say that no one manages to emigrate from Romania. Each year the Romanian dictatorship allows a token quantity of people to leave. In this manner the Romanian regime hopes to mollify the west while maintaining its anti-emigration policy.

Any objective analysis as to whether the Romanian government has abided by its commitments to the United States to permit emigration for family re-unification must, without question conclude in the negative.

In my view the principal criterion for determining whether to continue M.F.N. trade status to Romania should be whether the communist leadership of Romania has unquestionably displayed a respect for its commitments to the United States and whether it specifically has abided by the provisions of section 402 (Jackson-Vanik amendment). We must not make this determination on the basis of whether M.F.N. treatment will be economically advantageous to the Romanian economy and to a very few American businesses. Using the criterion of whether Romania's despots have showed that they respect the human right to emigrate in order to be with one's family, one must undoubtedly decide that Romania not continue to enjoy M.F.N. treatment.

The institutionalized terrorist organization that rules Romania under the auspices of the Soviet empire needs M.F.N. status because under the guise of trade they send agents to the United States to spy on American industry and to buy materials and technology which have the capacity for use in the Soviet military.

Through good relations with the United States, president N. Ceausescu hopes to demonstrate to the Romanian people that America considers him to be a worthy individual.

It is essential to make a clear distinction between the people of Romania and the illegitimate group which claims to be Romania's leadership. The communist regime in Romania is kept in power by police control of the state. And, of course standing behind him is the full might of the Soviet Union.

The independent foreign policy for which Romania is renowned is deceptive. this apparent independent stand is orchestrated by Moscow as a means of gaining insight into countries with which the Soviet Union had bad relations and as a means of creating the appearance that the Warsaw pact nations do not walk in lock step.

To continue giving Romania M.F.N. status would demonstrate to them and to the rest of the world that we do not take seriously the commitments which other nations make to us.

We continue to help the Romanian communist leadership in the totally erroneous belief that someday things will change for better in Romania if we cooperate with its leaders.

It would be a grave error to continue affording Romania M.F.N. treatment. To do so would be to assist the oppressors of the Romanian people to be more oppressive and therefore would be an act against Romanian people.

I am proud as an American of our government commitment to bringing about free emigration in the communist countries. But, our words must appear as more rhetoric when, year after year, despite Romania's blatant dedication to disregarding its commitments in the area of emigration, we continue to close our eyes and to extend M.F.N. trade status.

It is common knowledge, the Romanian communist game; during this time of year when these hearings are hold Romania opens her gates a little more widely. And it should anger the American government beyond words that the Romanian communist regime have the gall to send to these Committee hearings American citizens who are working for them, who describe Romania as if it were a paradise of freedom. They make communist Romania sound like an ideal place in which to conduct business. However, they make no mention of the fact that it is more fun going to hell than trying to get out of Romania.

These agents who appear before you would have you believe that there is no emigration problem whatsoever in Romania.

Every member here knows what the emigration application procedure is like and knows that the Romanian dictatorship is totally opposed to free emigration and to human dignity in general.

Therefore I would urge every member here to do whatever is necessary to stop M.F.N. trade status for Romania. After we have terminated M.F.N. treatment to Romania I am certain that Romania's strong desire for trade with America will encourage her to change her emigration policies quickly and Jackson-Vanik will have fulfilled its purpose which is to bring together people who ask nothing more than to live in peace with their loved ones.

The time is now to stop the U.S. program of feeding, financing, and arming the communist enemy. This would force the Soviet Union and her satellites (Romania one of them) to use more to its resources for the care of their people and leave less for military spending, world wide propaganda and subversion. It would also bring pressure on the communists leaders to make liberating reforms in order to increase the productivity of their agriculture and industry.

The free world is owned now 12 billion dollars by Romania. Romanian agriculture is bankrupt, Romanian industry can never be of any benefit to the American people, Romanian products, because of their poor quality, could never successfully compete on the American market. The Romanian people face a perpetual shortage of food.

Ultimately, the American people will take a financial beating because of this gamble we are taking with an economically sick entity.

Thank you for your attention.

STATEMENT OF ARISTIDE NICOLAIE, WASHINGTON, D.C.

Mr. NICOLAIE. If I may, Mr. Chairman, we would rather wait to bring out points, because we feel that we are almost left out.

Mr. PEASE. We will not be able to come back, sir, I am sorry. We will have to conclude the hearing.

If you can summarize in a couple minutes, fine. I understand it is not easy for you to do that, but as you can see, there are not other members of the committee here so the main thrust of your testimony is going to appear in the record anyhow.

We will have that full testimony printed in the record. So if you can wind up in 2 minutes, fine, otherwise I can conclude the hearing now.

Mr. NICOLAIE. Mr. Chairman, I am sorry for the shortage of time. I want to bring up the point of my testimony the fear to testify. And the fact that these hearings were not enough publicized among the Romanians because it is my knowledge that there are hundreds, if not thousands, that have many things to testify to.

I was admiring Mr. Apostoliu yesterday when he said, "Wake up, America. God is watching you, American Congressmen. All those are watching you."

It is quite a courage to make this call on their part, and the refugees and people oppressed by the Communists, they feel and cry loud the way Dr. Apostoliu pretty roughly brought up the statement yesterday.

[The prepared statement follows:]

STATEMENT OF ARISTIDE NICOLAIE

Mr. Chairman and honorable members of the committee, my name is Aristide Nicolaie; I live at 1330 Massachusetts Ave. NW., Washington, DC. 20005. I am U.S. citizen; I left my native country Romania in December 1944, and never visited her since then.

I am active in the Romanian community here in Washington being a member of the parish council of the Romanian Church "Holly Cross" and President of the Union and League Romanian Society "Dacia Felix". Before arriving in Washington eight years ago, I was active in the Romanian community in New York City where I lived over 20 years.

I testify before this Committee as an individual on behalf of my family, that is my eighty years old mother, my sister and the son of my sister. Their name and address is: Minca Nicolae, Cornelia Nicolae, and Corneliu Nicolae, Sos. Panduri No. 5, et. 1, apt. 7, Sect. 5, Bucuresti, Romania, 76229.

After many years of patience and hope of changes, my mother together with my sister and her son decided to give up and leave Romania and come to join me here in the United States.

On December 1979 they applied to the Romanian authorities for approval to emigrate. They were refused; they applied again and again—34 (thirty four) times until now—again and again they were refused. I sent them the necessary affidavits of support and I applied to the U.S. Immigration Service for their immigration which was granted on June 18, 1982.

It is my feeling that at least under the provisions of the Trade Act of 1974, Sec. 402 my people should have been allowed to leave Romania long time ago.

It took me some courage to come to testify before this Committee. I love my native country Romania and I hope to see her again sometime in near future. There is among our Romanian people here in United States a general fear to testify publicly or to express one's true feelings about the situation in Romania.

The fear to testify—I know of many people who do not want to testify because of fear of reprisals by the Romanian officials; there are Romanians, American citizens who are refused by Romanian officials a visa to visit their relatives ín Romania.

The contention of the Romanian officials that the provisions of the Sec. 402 would be an intrusion into the internal affairs of Romania cannot be true. The Trade Act of 1974 is a mutually agreed document binding both parties to its implementation. In my opinion, the American authorities do not intrude in the Romania's internal affairs; actually I believe that the American authorities do not do enough in helping and protecting the implementation of the Sec. 402 on behalf of the American citizens and immigrants.

The results so far of the Most Favored Nation status under the Trade Act of 1974 can be summarized in a few lines:

(1) The Romanian government exports for hard currency to the United States and other western countries goods of which the Romanian people are more and more deprived.

(2) The Romanian government succeeded to accumulate a debt to the United States and other western countries of about $12 billion, and is tottering now on the verge of bankruptcy—bankruptcy which is further stalled by additional western loans—namely, 500 million dollars approved recently by the International Monetary Fund.

(3) The Romanian people of Romania and the American citizens of the United States cannot fully trust that their own governments are truly willing and able to implement the terms of the Trade Act. The fear, dismay, uncertainty and mistrust experienced by these people cannot be of advantage to either government or country.

(4) The economic situation and the status of human rights in Romania actually worsen since the initiation of the MFN status.

(5) The American citizens cannot help their relatives in Romania except at unreasonable high costs and confiscatory customs payments for goods either sent by parcel post or brought by tourist-relatives into Romania.

(6) The lobbies of private enterprises that do business with Romania confound their own interests with the interests of the Romanian and American people—a sort of "what is good for them (private enterprises) is good for America". These lobbies use to present the economic, political and human rights situation in Romania in glowing terms, which, as can be proved by many facts, is not the case.

There are many more negative aspects of the MNF status; all of them, it seems to me, outweigh the advantages accrued to both United States and Romania.

We have mixed feelings about the MFN status, and the U.S. President's waiver of the requirements under the Sec. 402. We want that the MFN status be truly successful, truly advantageous to both American and Romanian people; as it worked so far, we do not see enough reasons to be continued.

Thank you for your consideration.

Mr. **Pease**. Sir, I am sorry, I must close you off because of this vote that is on. I will assure you that your full testimony will appear in the official record.

This does conclude this Trade Subcommittee hearing on the President's recommendation to extend for another year the authority under the Trade Act of 1974 to extend the most-favored-nation treatment to Romania, Hungary, and the People's Republic of China.

The record of the hearing will remain open until the close of business, Tuesday, July 20, for receipt of additional statements and information for inclusion in the record.

Without objection, the staff background and briefing materials prepared for this hearing will be included in the record.

The subcommittee is now adjourned, subject to the call of the Chair.

[Whereupon, at 4:20 p.m., the hearing was adjourned.]

[The following was submitted for the record:]

U.S. SENATE,
Washington, D.C., July 12, 1982.

Hon. SAM GIBBONS,
Chairman, Subcommittee on Trade, Committee on Ways and Means, House of Representatives, Longworth House Office Building, Washington, D.C.

DEAR SAM: In connection with your Subcommittee hearing on July 12, I welcome the chance to write this letter for the hearing record giving my views on the extension of our current trading relationship with Romania, Hungary and China.

As the members of your Committee know, Section 402 of the Trade Act of 1974 (the Jackson-Vanik amendment) is an historic effort to increase respect for international law by encouraging regard for the fundamental human right to emigrate—what has been aptly called "the life-saving right of last resort." The obligation to respect this right has been voluntarily undertaken by the signatories of the Declaration of Human Rights, the International Covenants on Human Rights and the Helsinki Agreement. Let us remember the USSR too has committed itself in these historic accords to respect this basic human right among others.

It is not interference in internal affairs to urge a nation to live up to its freely assumed commitments. Indeed, it is precisely in the name of the voluntarily accepted international obligation of a nation that we ask it to respect the right to emigrate.

I know the initial cosponsors of the Jackson-Vanik amendment—and its multitude of supporters—are gratified with the way our amendment is fostering greater regard for the right to leave a country and continues to constitute vital leverage in the ongoing bargaining for freer emigration.

I support the President's recommendation for a further extension of the general waiver authority conferred by Section 402(c), and for the continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China.

Beyond the fact that the general waiver authority has made it possible to reach and maintain bilateral trade agreements with Romania, Hungary, and the People's Republic of China, a continuation of that authority opens the way to the expansion of our bilateral relations with other non-market countries as opportunities arise.

I want to add a few special words on Romania and China.

We Americans continue to have a strong interest in a vigorous, politically effective Romania, able to act independently on key foreign policy issues. Our two countries share many parallel concerns, including opportunities for mutually useful trade. Obviously, it serves our own national interest to hearten and encourage Romania—as well as Hungary and other nations of Eastern Europe—to exercise its right as a sovereign state to greater freedom in the face of Soviet military might and Soviet political-diplomatic pressure.

We remember that Romania was the first to choose cooperation with us in accepting the terms of the Jackson-Vanik amendment as one of the bases of enlarged trade with the United States. In 1981, as the Administration reports, about 2,400 persons emigrated from Romania to this country, close to six times the pre-MFN level of emigration. The Romanian emigration to Israel, however, has not met the expectations some of us expressed last year. I, for one, had urged that the annual number approved for emigration to Israel be doubled over the 1980 level, but that has not happened.

I have emphasized in talks with Romanian officials this year that they can and should do better with respect to emigration to Israel. I have also urged them to streamline the Romanian emigration process so that applications are handled expeditiously and adjudicated promptly, to avoid all harassment of applicants, and to quickly resolve the still outstanding special hardship cases.

In a July 6 letter from Ambassador Malitza, I have been assured that it is the position of Romanian institutions "to constantly improve these procedures or abuses which might happen." The Ambassador also wrote that his government was prepared to hold discussions in the future, if it is considered necessary, "in order to achieve a clearer view on the matter, to examine with care any question of concern, in the interest of the good relations between our countries."

I am persuaded that the annual review procedure under Section 402—including the annual hearings in the House and Senate—remains an indispensable part of the process of encouraging the Romanian leadership to take our concerns with due seriousness.

I also believe that continuation of the waiver for Romania will give us the context in which to continue to cooperate with the Romanian government in implementing the intent and purpose of the Jackson-Vanik amendment.

With respect to China, the members of your Committee are doubtlessly aware that I was a strong advocate of the U.S.-China trade agreement providing for the extension of most-favored-nation treatment and access to official credits. It has laid the basis for the significant increase of trade and financial ties between our two countries, with important mutual benefits. It gives United States firms a better position to compete with firms from other nations.

Also, the PRC chose to cooperate with us in giving the assurances regarding its future emigration practices called for as a condition of the waiver of Jackson/Vanik. And this cooperation is enhancing the personal freedom for many Chinese wishing to emigrate or visit or study abroad and contributing to the economic well-being of the Chinese people. As reported by the Administration, U.S. Foreign Service posts in China issued 6,920 immigrant visas in FY 1981, and over 15,293 non-immigrant visas for business, study and family visits. More than 8,000 Chinese are now in the United States for long-term study and research.

I appreciate this opportunity to express my support for the continuation of the waivers to these three countries.

With good wishes.

Sincerely yours,

HENRY M. JACKSON.

STATEMENT OF HON. EDWARD J. DERWINSKI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. Chairman, I appreciate the opportunity to express to the Subcommittee on Trade my support for continuing Most-Favored-Nation (MFN) treatment for the products of Romania.

Trade between Romania and the United States has proved to be of benefit to American consumers and should, therefore, be continued. My prime interest in advocating this preferential trade treatment for Romania, however, is the independence they have exhibited in their foreign policy.

Romania has not allowed Warsaw Pact troop maneuvers to take place in their country, and no Soviet Troops are stationed there. In fact, the Romanians do not participate in the military exercises of the Warsaw Pact.

In addition to their independent military posture, Romania has established greater economic relations with the West than any other Eastern European country. The only nation of the Warsaw Pact which is a member of the International Monetary Fund and the World Bank, Romania leds the COMECON countries in its trade with the West.

Of course, Romania was the only country which signed a trade agreement with the U.S. under terms of the Jackson-Vanik Amendment.

Romania has strongly advocated the right of Communist parties to pursue their own ideologies and not follow Moscow's line. This philosophy has been applied by the Romanian Government to Communist parties in Western European countries, thus advocating "Eurocommunism" in conflict with the policy of the Soviet Union.

Therefore, I believe foreign policy considerations. our practical trade relations, and the overall economic situation between our two countries clearly justifies the extension of the Most-Favored-Nation preferential trade status to Romania for an additional year. I recognize that there are certain controversies involving the Hungarian minority in Romania, as well as concern over the domestic poltical situation in Romania as it is applied to Romanian dissidents. From time to time, there have also been complications involving emigration rights or the lack of them as applied to individual cases. It is important to note that the Romanian emigration practices would have a greater chance of improving with the Most-Favored-Nation status than they would without it.

Certainly, Romania has a repressive government, but the removal of the MFN is likely to make it worse. With normal trading relationship, we have very little leverage. With MFN, we have been able to secure a growing number of immigrants to the United States.

Our balance of trade with Romania is positive. Two-way trade has made it possible for American firms to establish ongoing contractual relationships, including joint ventures, with Romania. Stopping this trade relationship will be a genuine loss to American firms and their American employees.

I would like to emphasize, Mr. Chairman, that while I specifically urge continuation of most-favored-nation treatment for Romania, my position on Hungary is only that I have no particular objection to it; though I personally oppose the inclusion of the People's Republic of China for MFN status.

In view of the points expressed, I believe that an extension of the MFN Status, which means in essence that tariffs on goods from these countries will be no higher than on goods from friendly countries, should be favorably considered for Romania.

STATEMENT OF HON. DANTE B. FASCELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRMAN, U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. Chairman, subcommittee members, ladies and gentlemen, as Chairman of the U.S. Commission on Security and Cooperation in Europe, otherwise known as the Helsinki Commission, I am pleased to have the opportunity to address this forum in an effort to further the humanitarian aims of Section 402 of the 1974 Trade Act. The Most-Favored-Nation process, requiring the yearly review of the emigration performances of the Hungarian People's Republic and the Socialist Republic of Romania—both Helsinki signatory states—has complemented and advanced the humanitarian work being done by the Helsinki Commission. Indeed, over the years, the MFN mechanism has brought compassionate relief to scores of individuals and families who have turned to the United States for help.

As you know, the Helsinki Accords contain provisions designed to facilitate international trade as well as to promote the exercise of fundamental human rights and freedoms. These goals are not incompatible. In fact, they are intrinsically linked. Progress in one area must be accompanied by progress in the other. That is the idea inherent in the Helsinki Accords and such is the thrust of Section 402, Jackson-Vanik Amendment.

An essential element in the Helsinki and MFN processes is maintaining a constructive dialogue between the governments involved. To this end, throughout the year and not just during the MFN review, the Commission engages in frank exchanges with Hungarian and Romanian officials. Unlike other Warsaw Pact states, Hungary and Romania are willing to discuss human rights matters with us. Such dialogue is welcome. It is axiomatic, however, that humanitarian action must follow if talk is to have any meaning.

I now will turn my remarks to Hungary and then to Romania. I will give particular emphasis to the Commission's emigration-related concerns, since they rest squarely on the letter of Jackson-Vanik. When appropriate, I will address other humanitarian issues which are encompassed by the spirit, if not the letter, of the Amendment.

The Commission agrees with President Reagan's June 2 remarks to Congress on MFN waiver extension for Hungary. It is our experience that cases can be discussed constructively with the Hungarian Government, that the vast majority of cases are favorably decided within a reasonable amount of time and that most difficult cases are ultimately resolved. We are pleased to acknowledge the recent resolution of a particularly difficult case involving a two-year-old child separated from his parents. However, as a matter of principle we must point out that constructive dialogue has failed to produce results in the four remaining divided family cases between Hungary and the United States. One case has been unresolved for five years. Hungarian authorities claim that allowing this family to reunite or visit is harmful to the public order. One family not only is denied permission to join their relatives in the United States, they were not even allowed to visit the ailing father before he died. Another family is refused on the basis of a restrictive law prohibiting a Hungarian citizen's emigration before he reaches the age of 55. Lastly, another case involves a minor child separated from his father, the only living parent.

While the number of unresolved cases with Hungary is small, the human cost of dividing a family is great. I take this occasion, then, on behalf of Co-Chairman Dole and the other Helsinki Commissioners to reiterate our appeal to Hungarian authorities that they reconsider the merits of these four cases and resolve them expeditiously.

And now, in regard to Romania:

The focus of these proceedings being the Trade Act's emigration requirement, I am pleased to share with the Subcommittee the Commission's current thinking on Romanian practices.

You already have the State Department's overall figures for emigration from Romania to the United States, so I will not repeat them here. It would be more useful, I think, if I were to share with you the Commission's own experience with the four lengthy caselists we ourselves compiled and submitted to Romanian officials over the course of the last year: June and October 1981 and February and May 1982. From June 1981 through to the end of last week, the Commission submitted a total of 426 cases to the Romanian Government. It is important to note that a case can consist of a single individual or an entire family. the 426 cases, therefore, represented approximately 1200 people. Of these a total of 97 cases (22.7%) have been resolved, i.e. have left Romania, and another 25 (5.9%) have exit approval but have not yet departed the country. We asked that the Romanian Government give special consideration to 77 out of the 426 cases. Cases are chosen for special consideration because they have remained unresolved for an inordinately long time, involve a family emergency, concern young children separated from parents or elderly or ill people, or because they can be expected to pose more than the usual problems for Romanian authorities to resolve. By now 20 of these (26%) are resolved and 10 (13%) have exit approval.

It is instructive to look at how the cases on our year-old list have been moving. The June 1981 list contained 183 cases. As of now 79 (43.2%) have been resolved and another 25 (13.7%) have exit approval. We had requested that special consideration be given to 55 of the June 1981 cases. Of these priority cases, 15 (27.3%) have since been resolved and another 8 (14.5%) have been approved for exit.

Each Commission list contains unresolved cases we had previously presented plus any cases that come to our attention since the last prior submission. When we look at the resolution rate from caselist to caselist, an interesting seasonal pattern, very pertinent to the MFN process, emerges. From the time of the submission of the June 1981 list up until the submission of the October 1981 list—months encompassing the MFN review in Congress—47 cases (25.7%) off the June list were resolved. But, in the period after submission of the October 1981 list through to submission of the February 1981 list, only 15 cases (7.8%) of the October cases were resolved. Strikingly, however, in the short interval between submission of the May 1982 list and these very House-side MFN hearings, already 61 cases on the May list (17.5%) have approval and 14 (4.1%) have been resolved. Of the special consideration cases off the May list, 10 cases (16.7%) have approval and 4 (6.7%) were resolved. What we see here is a significant seasonal increase in resolutions and approvals coinciding with the months immediately prior to, during, and immediately after these MFN hearings.

But, numbers tell only part of the emigration story. Even individuals whose cases eventually are resolved still must endure a seemingly endless array of procedural obstacles and pressures to dissuade them from emigration before they are able to leave Romania. The Commission wholeheartedly agrees with President Reagan, who, in his message to Congress on MFN extension for Romania this year, noted the continuing problems associated with emigration procedures which he called "cumbersome and plagued with obstacles for those who merely wish to obtain emigration application forms." This situation applies to the majority of intending emigrants from Romania, whether their destination is the United States, the Federal Republic of Germany, Israel or another Western country.

Despite its commitments under the Helsinki Final Act, Romania has made no apparent effort to ease its tortuously complicated exit procedures or to humanize its treatment of would-be emigrants. Indeed, Romania has perversely increased, rather than reduced, the number of procedural steps which intending emigrants must take. The exceedingly formidable obstacles facing those who seek exit permission continue to include: (1) the inordinate difficulty in obtaining an application form; (2) the need to appear before special "People's Commissions" made up of Party officials, police authorities, neighbors, employers and co-workers, where applicants are routinely grilled on their reasons for leaving and are pressured to change their minds: (3) other deterrents such as job demotion or dismissal (which carries the threat of "parasitism" charges), eviction from apartments, expulsion from school or university, and stigmatization as a "traitor." These actions in particular are in clear contravention of the Helsinki Final Act provision that the presentation of an exit application "will not modify the rights and obligations of the applicant or members of his family." Adding to all these problems are the delays and uncertainties in receiving final approval and the possibility that all these efforts could come to naught if the one country of destination which the Romanian authorities will approve decides it is unable to receive the prospective emigrant. Would-be emigrants who are unsuccessful in their emigration efforts face the difficult prospect of reintegration into Romanian society as pariahs and at substantial material sacrifice.

Unfortunately the pattern of official harassment does not end with the issuance of permission to emigrate. Those who finally obtain passports still are subject—providing this has not happened earlier—to the loss of their homes, pensions, and access to medical services and dismissal from educational institutions or jobs well in advance of their actual departure from the country. Approved emigrants must sell all real property at set government rates and are forbidden to take any funds with them out of the country, even though the Helsinki Final Act provides that "(P)ersons whose applications for family reunification are granted may bring with them or ship their household and personal effects."

Now, to the subject of Jewish emigration from Romania, a matter specifically addressed by President Reagan and in which Congress has shown heightened interest and concern, particularly in the past several months. The President called attention to the decrease in Jewish emigration from 1975 through 1981. He made reference to the gentlemen's agreement on the facilitation of Jewish emigration reached in 1979 by the Romanian Government and representatives of the Conference of Presidents of Major American Jewish Organizations and the American Jewish Committee. The 1979 agreement was a response to concern that the Jewish emigration level had hit a disturbing new low by mid-1979.

As part of the agreement, it was established that Romanian Jews wishing to emigrate, could, in addition to filing exit requests with state authorities, register voluntarily with the Romanian Federation of Jewish Communities and that on a regular basis the registration lists would be made available to the American principals to the agreement.

Contrary to expectations, in 1980 and 1981, the yearly totals for emigration to Israel were only slightly better than the low year-end figure for 1979, hovering around the 1,000 per year mark. At the same time, however, on a succession of Romania Federation lists, backlogs of long-standing cases were observed.

This trend gave every sign of continuing into the early months of 1982. No wonder, then, that many who still regard the 1979 agreement as a step in the right direction and as a useful mechanism had cause for some concern. Procedural and numerical improvements in the area of Jewish emigration were not as substantial as many had hoped and expected. Only in the last two months has their been any indication that the year-end Jewish emigration total might be higher in 1982. In May and June, there have been significantly higher numbers of Jews given emigration approval. In June, there also was an appreciable jump in the number of arrivals in Israel.

According to the latest count made available by the Conference of Presidents of Major American Jewish Organizations, roughly 1400 Jews currently are registered with the Romanian Federation of Jewish Communities as intending emigrants. Of the 1400, 94 cases represent individuals whose emigration applications have been pending since 1980 or before, and 163 involve persons who have had emigration approval since 1980 or before, but who have not been able to depart Romania. The Commission particularly wants to see the expeditious resolution of these inordinately long-standing cases. Taking into consideration the current number of registered Jews (1400) and bearing in mind the fact that many Jews (almost 50% of those who attempt to emigrate) do not register with the Federation, but wish, nevertheless, to leave, the Commission concludes that it is realistic to expect that the recent higher monthly levels of Jewish emigration can be sustained and perhaps improved on over the next year.

Certainly, it would be in the interests of all concerned that the principals to the 1979 agreement undertake as soon as possible renewed efforts to clarify, simplify and humanize the process by which Jews may emigrate.

Beyond emigration, the Commission's human rights concerns for Romania cover the gamut of the Helsinki Accords' humanitarian provisions on the freedom of conscience and expression, religious liberty, the rights of individuals belonging to natioanal minorities and the all-important right "to know and act upon one's rights."

We will continue to use every appropriate opportunity to air these concerns in manners we think are most likely to bring results. We appreciate the fact that some of the problems we see cannot be resolved in the short-run. It is fair to expect, however, that the Romanian Government make steady and tangible progress toward their resolution.

Concern persists that the Romanian Government does not take adequate steps to protect the rights of national minorities. Yet, the Romanian Government has not made any noticeable goodwill gestures that would serve to allay this concern.

We observe that while the fourteen registered faiths in Romania continue to operate under the circumscribed conditions set by the State, believers who engage in religious activities beyond the State-imposed limits continue to face harassment. The Subcommittee heard moving and well-documented testimony about the plight of activist Christians in Romania. Currently, there are eleven Christian activists imprisoned for terms of five to six years for the unauthorized receipt from abroad and non-profit distribution of quantities of Bibles:

	Date sentenced	Sentence
Costel Georgescu	Mar. 6, 1982	6 yr.
Silviu Cioata	do	5 yr., 3 mo.
Mircea Cioata	do	do.
Petre Furnea	do	do.
Ioan Toader	do	do.
Hans Holzmann	do	do.
Horst Feder	do	do.
Ioan Raceala	do	5 yr., 6 mo.
Klaus Wagner	Dec. 17, 1981	6 yr.
Fibia Delapeta	do	5 yr.
Maria Delapeta	do	do.

One dissenting Orthodox priest, Father Gheorghe Calciu-Dumitreasa, has been imprisoned since early 1979 for exercising his right to freedom of expression.

In addition to the above-mentioned prisoners of conscience, the Commission is working on behalf of several other individuals we have cause to believe were confined for exercising Helsinki-protected rights: Paul Dragu, imprisoned since January 1982; Vasile Preda, imprisoned since 1978; Mihail Moisa, in psychiatric confinement since early 1982; Vasile Paraschiv and his wife, arrested in February 1982; and Mihail Baba, in psychiatric confinement since February 1982.

We hope, however, that a way can soon be found to bring compassionate relief to these people.

Now to sum up.

I think we can all agree that the MFN season has begun in a climate of heightened concern this year. Romania and Hungary are aware of the ominous atmospherics and in recent months we have seen a slight brightening in emigration areas. It is important, however, that Hungary and Romania continue this trend and that significant further progress is made. As for Romania in particular, steady and specific steps in a number of human rights areas are still greatly needed to dispel the storm clouds.

In closing, I hope this testimony has accomplished two things. First, that it has helped Congress take stock of pertinent considerations for Hungary and Romania both by airing humanitarian concerns and acknowledging any progress that has in fact been made. Second, that by so doing, the Commission has given Congress information it will need in coming months to undertake constructive efforts to solve some humanitarian problems and to make headway toward the eventual solution of others.

Thank you, Mr. Chairman.

STATEMENT OF ALLAN L. MERKEN, PRESIDENT, ACTION TUNGSRAM, INC.

Action Tungsram, Inc., a Pennsylvania corporation with headquarters at 11 Elkins Road, East Brunswick, New Jersey, was formed in 1977 as part of a joint venture between Action Industries, Inc. of Cheswick, Pennsylvania and United Incandescent Lamp and Electrical Company, Ltd. of Budapest, Hungary (know as "Tungsram"). This joint venture corporation is a unique East-West cooperative enterprise. It has made a substantial investment ($7,000,000) in the United States. Passage by Congress of the United States-Hungarian Trade Agreement in 1978 has made it possible for this company to achieve outstanding growth in the manufacture of household light bulbs. The continuance of most-favored-nation status to Hungary is strongly supported by us.

I have appeared, on a number of occasions, before this Committee to state our support of the United States-Hungarian Trade Agreement. On each occasion comments were offered as to the beneficial effects of most-favored-nation treatment. Those benefits continue to accrue and I would like to briefly review them once again.

Since making our initial investment, we have increased the capital of the company by more than $2,000,000, which represents all of our earnings after, of course, having paid United States and New Jersey income taxes.

Employment in New Jersey by Action Tungsram has grown to one hundred and twenty people, and it is expected that the growth in our facilities, will create an additional thirty job opportunities over the next twelve months.

The continuing existence of most-favored-nation treatment to Hungary has facilitated the economic position of four light bulb production lines at our New Jersey factory thus far. It is our strong desire to further build our domestic production through additional acquisition of machinery which will, of course, provide the opportunity for a larger work force.

Our purchases of raw materials and component parts, made in the U.S.A., will exceed $2,000,000 this year. Our New Jersey facility continues to depend on U.S. producers for the majority of our purchased parts.

Action Tungsram continues to exploit export opportunities and will again, this year, export in excess of $6,000,000 worth of products, produced in the U.S.A. We continue to by very proud of this achievement.

Action Tungsram, Inc. is a unique business entity which demonstrates the sound economic cooperation possible in the private sector between the United States and Hungarian business entities. The trade relations between Hungary and the United States will be well served by the continuance of most-favored-nation treatment to Hungary.

STATEMENT OF THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

The AFL-CIO sees no evidence that the waiver of the emigration provisions of the Trade Act of 1974 has substantially promoted the objectives of the Trade Act's emigration requirement, as the law requires.

The continued oppression in each of these countries and the failure to grant free exit rights shows that the requirements of "substantially" affecting the freedom of emigration has not been met.

In addition, the facts of trade with these countries continues to injure jobs and production in the United States. There is obviously not a "satisfactory balance of concession in trade and services" after the many waivers that have geen granted.

Trade with Hungary showed a deficit for the United States in both 1980 and 1981, both in total volume and in manufactured goods. Furthermore, imports of manufactures rose more rapidly than exports between 1980 and 1981. Imports rose 22.6% while exports rose 17.9%. In 1982, exports of manufactures to Hungary declined during the first three months and imports from Hungary rose.

Trade with Romania showed an even more adverse pattern: the United States had a surplus in trade with Romania in 1980 and a deficit in 1981. Total exports to Romania dropped 30% between 1980 and 1981, while imports rose 79.4%. Exports of manufactures to Romania declined from $134.42 million in 1980 to $51.73 million in 1981, and was virtually stable in the first three months of 1982 over the first three months of 1981. Imports of manufactures rose 64.2% between 1980 and 1981 and declined only slightly in the first three months of 1982 compared to the same period of 1981. Thus, with both countries, the trade patterns are harming the U.S. and the problems of emigration remain virtually the same.

The trade trends with PRC show adverse trends. The suplus in balance has declined sharply. Imports of manufactured articles have risen more rapidly than exports in 1981 and the first three months of 1982, while the U.S. was suffering from a serious recession. Exports of machinery and transport equipment actually declined.

At at time when the U.S. is suffering from severe economic problems, worsening trade trends compound the outrage of waiving the freedom of emigration provisions in the Trade Act of 1974.

In testimony submitted to the Finance subcommittee on International trade on July 28, 1981, (see attached) the AFL-CIO detailed the repressive actions of Romania and Hungary in denying fee emigration or improved human rights. These actions continue to this day. In terms of China, no free emigration exists, and if anything, basic human rights have been curtailed since most-favored-nation status has been extended to China. Thus, the AFL-CIO urges the Congress not to extend most-favored-nation treatment to imports from Hungary, Romania, and the Peoples Republic of China.

[Attachment]

SUBMITTED STATEMENT OF THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, ON THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS, BEFORE THE FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE, JULY 28, 1981

The AFL-CIO urges the Congress not to extend most-favored-nation treatment to imports from Hungary, Romania and the Peoples Republic of China under the Trade Act of 1974's waiver authority.

The issue before the Committee is whether or not the granting of normal trade status to these countries encourages the free emigration of their citizens.

But that is not the only issue involved.

Human rights have not improved as a result of granting normal trading rights to Romania or Hungary, and the knowledge of improvements in the Peoples Republic of China has been minimal.

The attached statement of a recent Romanian exile, Nicalae Dascalu, a member of the Romanian trade union SLOMR since 1979, belies the claim that most-favored-nation treatment has helped encourage free emigration or improved human rights in Romania. Mr. Dascalu emigrated to the United States in April of this year. But it was not free emigration. The Romanian government first arrested him and then exiled him for participation in union activity. He states that "Since 1977 the human rights situation in Romania has deteriorated considerably."

This result is directly contrary to the purposes President Reagan cited in recommending to the Congress on June 3, that Romania once again be granted most-favored-nation treatment. The President's message to Congress said, "The waiver authority has permitted (the United States) to conclude and maintain in force bilateral trade agreements with Romania. . . . These agreements are fundamental elements in our political and economic relations with these countries, including our important productive exchanges in human rights and emigration matters."

Clearly, the granting of most-favored-nation treatment has not resulted in improved human rights in Romania. The same is true of Hungary.

Thus the waiver of the law's requirements has failed to improve conditions in either Romania or Hungary.

Special trade privileges not only do not produce human rights, they do not improve trading arrangements. We would like to call the Committee's attention to our longstanding objection to providing sophisticated U.S. technology and turnkey production facilities to communist countries. These countries continue to use oppressed labor for production of goods for the U.S. market. Over the years, we have listed a number of U.S. products and industries injured by imports from these countries. Yet imports of textiles, garments, shoes, electronic equipment, glass, and steel products from these countries persist in spite of the past injuries to these industries and their employment opportunities.

Most-favored-nation provides for extra injury to U.S. producers. Because Romania has most-favored-nation status, imports from Romania are included under the Generalized System of Preferences, according to Section 502 (b) (1) (A) of the Trade Act of 1974. This provision, designed to help developing countries, provides zero tariffs for imports of about 2700 products or parts of products from developing countries. As a result, imports of railroad freight cars, now in oversupply in the U.S., are receiving this special zero tariff privilege when imported from Romania. While U.S. industry suffers doubly from imports and from overcapacity, imports from Romania get special tariff privileges. Even imports of auto parts from Romania receive this special import privilege because most-favored-nation status is granted.

The same combination of special privileges and injury to U.S. industries are threatened with the extension of most-favored-nation status for the Peoples Republic of China. The imports of textiles and apparel and other import-sensitive products have continued with or without most-favored-nation status. The difference is that an extra benefit is granted with most-favored-nation status. From the Peoples Republic of China, the U.S. is now importing compressors. Recently there has been an inrush of imports of fasteners—another industry already injured by imports from other nations.

These economic factors are hurting the U.S. economy. The trade will continue whether or not MFN is granted. Trade with Romania has expanded. But the U.S. imports more manufactured products from Romania than the U.S. ships to Romania. The United States trade is in deficit with Hungary, and trade with the Peoples Republic of China moves in an erratic fashion. In each country, MFN is not necessary for trade. But, in each case, MFN trade has hurt U.S. industries.

Nor does normalized treatment assure U.S. exporters of future sales. Whenever any of these countries' governments decides to curtail imports, U.S. exporters will lose. The U.S., Japan and European countries learned that planning decisions change and contracts can be canceled with the Peoples Republic of China when the plans of that nation changed during the past year.

In short, there is no human rights, economic or political justification for extending most-favored-nation waivers to these countries.

Once again, we urge this Committee not to continue the waivers granting most-favored-nation treatment to Romania, Hungary and the Peoples Republic of China.

STATEMENT OF NICOLAE DASCALU

Since 1977 the human rights situation in Romania has deteriorated considerably. As voices demanding respect for man's dignity increased followed by numerous actions of protest, the regime realized that it was losing control and, after a short period of confusion, insecurity and hesitation, embarked on a gradual course of suppressing any kind of opposition, dissatisfaction, suggestion of reform, or even more theoretical, abstract deviationism. Long prison terms were imposed on people for their thinking, not for their actions. An outstanding example is the case of Father Gheorghe Calciu Dumitreasa who was condemned to 10 years imprisonment for having taught the Gospel and having preached love and harmony among people as opposed to hatred and division taught by the Marxists. Trials are conducted behind closed doors, in secret, without proper defence, often by military tribunals. Judges are only the last link in the chain of decisions, vertically held, whose only role is to read the sentence to the condemned person. Political prisoners are subjected to psychiatric maltreatment in secret hospitals or solitary confinement and permanent psychological warfare, often accompanied by sheer brutality, in penitentiaries. The plight of common prisoners is hard but normal; they are in prison to have fear inculcated in them. Political prisoners are there for extermination. If they do not manage to desintegrate your personality, to break your will and make you submissive, they exile you. There are persistent rumors in Romania that they even assassinate you in all kinds of accidents, as the rumor goes about Dobre and Jurca, two of the leaders of the Jiu Valley strikes in August 1977, or about Vasile Paraschiv, an activist in The Free Trade Union of Romania's Workingmen (SLOMR). In the aftermath of the Jiu Valley strikes, when the miners forced the government to satisfy all their demands, the regime started its slow but unfaltering process of repression: over 4,000 miners were transferred to other working-places, in most cases not according to their skills and much more poorly paid; hundreds of the more active and outspoken miners were given prison sentences on trumped-up charges or for trifles; thousands of disguised agents were introduced into the mines to inform the secret service, and to create confusion. That is probably the explanation why the Jiu Valley miners did not strike in support of their leaders when these were taken away from them into isolation and, according to rumors, death. The Jiu Valley area was surrounded by army divisions for months after the strikes.

In the spring of 1979, the most significant labor movement in recent Romanian history was suppressed with unusual harshness. The communist regime claiming to represent the workingmen was extremely furious when the union's (SLOMR's) program called for the abolishing of privileges, for social security and unemployment benefits, for a fair system of pensions, etc. The founding members were arrested within five days of announcing their program. Dr. Ionel Cana was condemned 7½ years imprisonment, Gheorghe Brasoveanu 5½ years; nothing is known about the other founding members. Virgil Chender, one of the founding members of The Unofficial Trade Union of Workers, Peasants and Soldiers of the Mures District, which was affiliated to The Free Trade Union of Romania's Workingmen, was interned in a psychiatric hospital and not heard from since. Hundreds of persons were condemned for their involvement in the SLOMR.

About 50,000 people were arrested and condemned to terms of up to 6 months' imprisonment between March and June 1979. All prisons were filled to capacity, prisoners slept two in a bed, and thousands of them were incarcerated in tents in the prisons' courtyards. The regime was making desperate efforts to suppress the union. At the beginning of March 1979, I announced the formation of an Amnesty International group in Bucharest. Most of the members of the group joined the union. When the founding members were arrested, we took over the task of organizing the union and at the beginning of April we were also arrested. Some of us received prison sentences and others were harrassed and exiled. On completion of our prison terms, my friend and I were also exiled. The only person left in Romania who belonged to our group is my brother, Ilie Dascalu; he works in a factory in Bucharest. He is permanently subjected to harrassment, intimidation and threats. The policy told him that he would have to leave the country, but when the time was convenient for them, and in the meantime he should never mention SLOMR. Under the circumstances, the Polish crisis and the successes reaped by workers there came as the worst conceivable development at the worst possible time for the communist regime in Bucharest. Hundreds of local strikes broke out. I left in March this year when the turmoil was at its highest. There was no indication that organizers of local conflict were jailed or isolated, though it seemed a miracle that none of the strikes ended up in demanding recognition of free unions. It has been said that MFN has been given to Romania in recognition of, and as an encouragement for, its independent line in foreign policy. Romania's independence is just empty words as long as the regime remains foreign-imposed, foreign-modelled and foreign-supported. Who will guarantee its independence: the Romanian people who have been despised, mistreated, annihilated economically and politically, transformed into an amorphous mob, manipulated into the most passive acceptance in their history by a small Moscow-designated communist oligarchy? Therefore, when he makes statements about Romania's independence, President Ceausescu should be considered a private citizen or a representative of his family.

If they want favors from the free world, such as recognition, security, cooperation, they must gain legitimacy in their own country. And they will have legitimacy only when they are brought into office by free democratic elections.

Sound political judgement made three U.S. Presidents issue a waiver for Romania, and the U.S. Congress has agreed to MFN extension so far because they thought that would promote the humanitarian objective of the Jackson-Vanick amendment—and I insist that the MFN clause has helped a lot in this direction—and an improvement of their economic relations would improve the well-being of the people.

But the Congress has a moral obligation as the guardian of the great principles on which the American State was founded to demand of the Romanian Government that it should respect its citizens and especially never to cease making it clear that the MFN benefits are meant to be extended to the people of Romania for promoting their well-being, not to be used by the regime for their oppression.

[From Amnesty International News Release, Nov. 27, 1978]

AMNESTY INTERNATIONAL PUBLISHES MAJOR REPORT ON POLITICAL IMPRISONMENT IN THE PEOPLE'S REPUBLIC OF CHINA

Amnesty International today (Monday, 27 November 1978) published a major report on political imprisonment in the People's Republic of China. The 176-page report outlines in detail the country's constitutional, legal and penal systems under which suspected political dissenters are detained, interrogated, tried and punished without access to fair trails and without safeguards against maltreatment during detention.

AI said it had submitted the draft of its report to the Chinese government in June 1978 and had offered to publish any comments or corrections from the government. "We have heard nothing from the Chinese authorities, despite repeated efforts on our part", said AI. "However, within the last month it has been reported in the international press that Chiang Hua, President of China's Supreme Court, has said there are still many people wrongfully imprisoned in the country, and that 'all sorts of excuses' were being used to avoid reviewing miscarriages of justice. In a series of judicial conferences, he has reminded officials that the extraction of forced confessions is prohibited and that the courts and police should deal seriously with this problem."

In a letter to Premier Hua Guofeng dated 2 November, AI presented recommendations based on its report urging the Chinese government to: Repeal all laws prescribing administrative or criminal punishment for the non-violent expression of beliefs; Establish formal safeguards to prevent the torture or cruel, inhuman or degrading treatment of prisoners; Abolish the death penalty; Ensure that all persons currently detained on political grounds are quickly brought to open trial before imparitial tribunals where full rights of defence are guaranteed; and Apply internationally-recognized standards in accordance with the Universal Declaration of Human Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners and other human rights instruments.

The AI report is the result of several years of intensive research. It draws on the case histories of prisoners of conscience in China currently under adoption or investigation by AI, some of whom are serving sentences ranging from 15 or 20 years to life imprisonment. Among them are Lin Xiling, a girl student arrested in 1957 at the age of 20; Chamba Lobsang, a Tibetan monk arrested in 1959; Deng Qingshan, a young peasant sentenced to 15 years' imprisonment in 1970, and others detained for their beliefs. The report is also based on testimonies of former prisoners who have been held in labour camps and prisons in different parts of the country.

The report criticizes the existence of legislation in China which provides for political imprisonment and says that laws are loosely-worded and have been interpreted broadly, permitting large scale imprisonment on "political grounds (see report pages 1-7). Under the Chinese constitution, certain categories of people, defined as "class enemies" can be deprived of their political and civil rights solely on the basis of their "class origin" or political background (see report pages 7-13).

"The continuous 'mass mobilization campaigns' since the early 1950s have been used to identify people dissenting from official policy", said AI. "The campaigns have broadened the range of political offences to the extent that each of them has defined new types of offenders according to the politics of the period." (see report pages 13-31).

AI said it was concerned that under Chinese law, pre-trial detention is unlimited once an arrest warrant has been issued by the Public Security (police). The trial does not normally begin until the detainee has "confessed" in writing. Political defendants are usually tried *in carmera*, or by "mass public trials" where no defence is possible. According to the report, "Trials are a mere formality: rather than 'trials', they are, in fact, meetings to announce the sentence." (see report pages 37-57).

Certain political offenders, said AI, could be punished by compulsory labour without even judical investigation (see report pages 57-61). Formal punishments range from a term of imprisonment to execution. "The government of the People's Republic of China is, today, one of those governments which, in the last year, has executed persons convicted of political offences", AI said. The report cites the case of He Chunshu who was sentenced to death in February 1978 for writing and distributing a "counter-revolutionary" leaflet. According to the court notice, he had "obstinately refused to admit his crime", and was executed immediately after sentencing (see report pages 61-69).

AI emphasized that it was not possible to present a comprehensive portrait of detention conditions prevailing in China at any one time due to a lack of detailed information resulting, in part, from restrictions on the flow of information within the country (Corrective labour and penal policy: prison conditions, see report Chapters 3 and 4). "Although", said AI, "to our knowledge there have been constant complaints by prisoners about punishments, insufficient food and inadequate medical care".

AI stated that its primary concern was the release of all prisoners of conscience. It welcomed the announcement that efforts are being made in the People's Republic of China to redress miscarriages of justice committed in the past. However, AI said, the legislation providing for political imprisonment is still in force and arrests on political grounds are continuing. "We would welcome any steps by the government to review the laws and procedures affecting the detention and treatment of political offenders. All provisions prescribing punishment for non-violent expression of beliefs should be repealed", AI said.

[From the AI Newsletter, May 1980]

FU YUEHUA—PEOPLE'S REPUBLIC OF CHINA

A 34-year-old woman municipal worker, who became a human rights activist after trying for years to call attention to her own grievances, is serving a two-year sentence for "violating public order" in China.

FU Yuehua lost her job in 1972 after accusing a local Communist Party branch of raping her. While petitioning for her case to be re-examined, she met other petitioners, mainly peasants who came to Peking to present personal grievances. She wrote wall posters supporting demands for human rights and democratic reforms which began to be aired in Peking in late 1978. She took part in a demonstration by peasants in the capital on 14 January 1979, and was arrested by plainclothes police on 18 January.

An unofficial report said she was badly beaten by police after her arrest and went on a hunger-strike in protest. This was before her official date of arrest, given as 3

April 1979. In China, this date normally marks the time at which formal charges are made. Fu Yuehua was tried on 17 October 1979, charged with "organizing disturbances which violated public order" and "libel". The later charge, which referred to her accusation of rape, was dropped, apparently as a result of evidence which she brought forward at the trial. It was officially reported on 24 December that she had been sentence to two years' imprisonment on the charge of violating public order.

Please send courteously worded appeals for the immediate release of Fu Yuehua to: His Excellency Hua Guofeng, Prime Minister, Peking, People's Republic of China.

[From Amnesty International News Release, June 30, 1980]

AMNESTY INTERNATIONAL SAYS DISSENTERS FACE WIDE RANGE OF PENALTIES IN ROMANIA

Amnesty International said today (Monday June 30, 1980) that Romanian authorities deploy a wide range of legal and extra-legal penalties against those who breach official limits on political, religious and social expression.

In a 20-page briefing on human rights issues of concern to Amnesty International in Romania, it cited the use of imprisonment, "corrective labour", confinement to psychiatric hospitals, and the inadequacy of legal safeguards. The organization also called attention to cases of harassment, intimidation and dismissal or transfer from jobs.

The country's constitution and laws restrict the freedoms of speech, press and assembly, providing penalties for such offences as "anti-state propaganda". The number of people imprisoned on such overtly political charges appears to have fallen in recent years, but some dissenters have faced criminal charges—which Amnesty International believes to be false—such as "parasitism" and "homosexual relations", according to the briefing paper.

Among those who have been punished are members of an unofficial trade union, unauthorized religious activists, would-be emigrants and critics of government practices affecting human rights.

One of the cases cited is that of Janos Török, a textile worker and Communist Party member who criticized the system by which National Assembly members are elected during a meeting in March 1975 at his place of work in Cluj. He was arrested by the Securitate (political police) and was reported to have been severely beaten during prolonged interrogation. He was confined to a psychiatric hospital and forcibly injected with large doses of sedatives. Released from hospital in March 1978, Török has been under house arrest since then, permitted to leave his home once a month to report to a psychiatric clinic.

He is only one of a number of dissenters who have been subjected to compulsory psychiatric confinement, although Romanian law prescribes this only for those who are dangerous to themselves or others, or who are judged to be about to commit serious crimes.

Members of an unofficial "Free Trade Union of Romanian Workers", founded in February 1979, have been penalized in various ways: Dr. Ionel Cana was sentenced in June 1979 to five and a half years' imprisonment on charges that have not been made public. Others have been given shorter terms for offenses such as disseminating information abroad without official permission and "parasitism". Economist Georghe Brasoveanu was reported to have been confined to a psychiatric hospital in March 1979—the fifth time in eight years that he has been confined after criticizing official policies.

In August 1977, miners in the Jiu Valley went on strike in a dispute over pensions, benefits and safety standards. Those who played prominent parts in the strike were arrested and sent without trial to work in other districts under police surveillance. Several sources have said that two strike leaders died shortly after the strike in circumstances never satisfactorily investigated by police, although Romanian authorities have denied these reports.

Gheorghe Rusu, an economist, applied in 1977 to emigrate to France in order to join his wife and child there. Arrested on charges of homosexual acts, he was acquitted by a local Bucharest court for lack of evidence, but was later sentenced to three years in prison after the procurator appealed against the first verdict.

People who went on hunger-strikes or demonstrated in support of demands to be allowed to emigrate have been imprisoned or confined to psychiatric hospitals; other dissenters, however, have been harassed until they accepted passports and left the country.

Religious dissenters who have been punished include an Orthodox priest, Father Calciu, sentenced to 10 years' imprisonment on charges that have not been made public, and Protestant activists sentenced on charges of causing public disturbance and "parasitism".

An Amnesty International delegation visited Romania in February 1979, after the organization launched a campaign the previous autumn against human rights violations in that country. Amnesty International has requested the opportuntiy to send a second mission, to investigate human rights problems and the abuse of psychiatry in particular.

STATEMENT OF NICHOLAS A. BUCUR, JR., PRESIDENT OF THE AMERICAN-ROMANIAN ANTI-DEFAMATION LEAGUE, INC.

The modern world is a place of confusion, violence and disillusion. Many voices are raised for disarmament. One such voice is that of Nicolae Ceausescu, President of Romania. He has travelled to the ends of the earth in pursuit of peace. He has seen more chiefs of state, and has been visited by such leaders, than any other state leader today. Why? Why does Romania seek better relations with not only the United States, but with all other nations and peoples on this earth, regardless of political system, economic level or other difference? What is the large story behind Romania's determined effort to be as independent as possible within the constraints of practicality?

Romania's independent thrust has been well-publicized but few know the basis for it and are ignorant of the historical principles which motivate this struggle for independence. One of the reasons for this lack of knowledge is the fault of the Romanians themselves. They are wont to be inordinately modest, and believe that the truth will eventually out and that facts speak more loudly than boasts. Lamentably, this is not always the case.

However, it should be made clear from the outset that Ceausescu advocates socialism while this writer is an American and an advocate of the system of free enterprise and that although there is a vast difference in ideolgy between the president of a communist nation and this writer, there is a common concern to both—World peace.

It is in this spirit and for this reason primarily that this statement is written. Both nations are for peace and both are presently enjoying mutual benefits from MFN. Romania has not only been a consistent advocate for peace for she also been desirous historically of maintaining a strong bond of friendship with the United States of America.

This continuing desire for friendship should not be lightly treated and should be viewed against the back-drop of the Two Thousand year old Peace Principle which motivates its people and present leader, Ceausescu.

Two factors to be taken into consideration in this situation are: (a) the mountains of Romania, and (b) the number and kinds of invasions this gallant and brave nation has endured.

The mountains of Romania, the Carpathians of various sides, are a part of the unique spirit which is uniquely Romania. These mountains are at the core of the Romanian soul and were the refuge of the people during the invasions. There the language and the cultural heritage of the people were persereved.

The fact that the Romanians were pushed upward into the mountains while the invaders settled on the foothills, such as the Magyars and Huns, is the best physical evidence of who were the original inhabitants and who were the invaders and clearly shows who was the first.

The land of the original Dacians was invaded by the Ostrogoths, Visigoths, Gepe-ii, Alvari, Huns, Slavs, Bulgars, Hungarians, Mongols, Turks, Poles, Russians and Austrians. Yet the people preserved their national values. The Dacians intermarried with the conquering Romans and the resulting language, Romanian, is closer to Latin than its cousins.

Yet, it was the dim and distant past that the cornerstones of the Romanian Peace Principle were laid with loving care by the first inhabitants, the Getians and Dacians. The first stories of Romanian history are not of War, but peace, such the story of Dromihetes and Lysimachus, of Burebista the Persuader, Decebal the Heroic, and others.

That basic philosophy, coupled with the pacific nature of the people, has been consistent through the centuries. Remember, for example, the kind and friendly treatment of American pilots, downed on the very soil they had blasted with heavy bombs. The Americans were sheltered and eventually returned unharmed.

Two Romanians who more recently carried on high the banners of peace were Nicolae Yorga and Nicolae Titulescu, both of whom labored tirelessly for peace. Titulescu was twice president of the League of Nations. The League was supported strongly by Romania just as today the United Nations is vigorously supported by Romania. In the United Nations Romania ardently espouses the cause of disarmament and world peace.

Ceausescu is the latest in the long and unbroken line of leaders of Romania who promulgate the Romania Peace Principle. He easily could have rejected this cause or taken another course. He could have remained silent and relatively inactive on the world scene. He chose the more difficult path. This makes him interesting to the writer.

Although he would view his principles as not divisible due to his basic beliefs it is this writer's view that they interact in three broad and over-lapping categories: (1) Those relating to Romania's own economic, social and cultural growth; (2) Those relating to Romania's international relations and foreign policy; and (3) Those relating to the new economic order which he espouses for the world in order to rectify inequities on all levels.

As a communist he clearly espouses socialism, which this writer does not. However this issue and the related ones of hegemony, imperialism, and nationalism remain for another forum for discussion. More to the point here is that Romania urges disarmament, the dissolution of the Warsaw Pact, and of NATO. Furthermore, Ceausescu urges the creation of a security system for small and large nations and the recognition of integrity and sovereignty for every nation. Romania urges cooperation between all states to the end that all may further their human welfare and progress.

Romania views itself as a developing nation and therefore needs peace and calm, these being prime requisites for creativity and resourcefulness.

Romania's Peace Principles have changed little over the years. Ceausescu spoke of non-interference in the internal affairs of other nations at least two years before the invasion of Czechoslovakia, 14 years before the invasion of Afghanistan, and 15 years before the threatened invasion of Poland. He has repeatedly criticized the vast military budgets of the great powers, saying that the heavy burden of military spending hampers the social and economic development of every nation involved; that such money would be better spent on medical projects, housing, education, and the betterment of the human condition and quaility of life of the inhabitants of the Earth.

Romania has steadily condemned the anachronistic policy of racial discrimination and apartheid policy promoted by the authorities of South Africa and has fully supported African peoples in their search for freedom not only by moral alliance but materially as well.

Romania has not followed the policy of the Soviet Union blindly and the following is only a partial list of her independent acts:

(1) Having diplomatic relations with Israel (the only bloc nation to do so) and yet maintaining good relations with the PLO;

(2) Relations with West Germany (to the displeasure of the Soviet Union);

(3) Refusing to allow Soviet troop manuevers or even a presence on the soil of Romania:

(4) Disassociation from the Soviet invasion of Czechoslovakia in 1968;

(5) Supplying oil to the United States during the Arab embargo;

(6) Urging the convocation of a world congress of communism in order to re-define Marxism for better relevance to world problems;

(7) Refusing to put Romania soldiers under Soviet command;

(8) Refusing to contribute more money to the Pact military budget;

(9) Sponsoring resolutions in the U.N. for universal peace and disarmament;

(10) Having received Nixon, and then Ford;

(11) Having good relations with monarchies in spite of political differences;

(12) In having relations with the military government of Chile;

(13) In urging the non-aligned nations to seek an independent and nationalistic role rather than joining blocs headed by hegemony-oriented super powers;

(14) Advocating the abolition of not only NATO but also the Warsaw Pact;

(15) Urging the elimination of all military pacts and a yearly reduction of arms;

(16) In condemning the invasion of Afghanistan in the United Nations consistently; and more recently,

(17) In urging a soft line in dealing with Poland and in splitting with other pact members as to a possible invasion.

In any case, Romania's undoubted prominence in the international scene, especially as to peace-making roles, mediation and the cause of world peace, is directly due to the promulgation of the historical Peace Principle, as exemplified by the policies of the latest leader of Romania, Nicolae Ceausescu.

As far as the United States is concerned, our two nations have signed treaties as needs arose.

The oldest accord was signed in 1906 (for the reciprocal protection of trademarks). Extradition treaties were signed in 1925 and 1937. In 1946 a treaty was made concerning the registration of war graves and associated issues. Many other treaties have been made in the interim.

As to mutual international trade the volume has increased dramatically and even spectacularly from around 22 million dollars in 1968, to 400 million in 1974 and finally to around a billion dollars in 1980. Interestingly enough, the trade has been pretty well balanced.

When Ceausescu visited in the United States he was praised by the then President Jimmy Carter who credited him for convincing Sadat to make his historic visit to Jerusalem and thus give credibility to the Camp David Peace Accords.

Sadat himself, in his official biography stated that "I trust that man's (Ceausescu) judgment," and therefore acceded to his suggestion that Sadat visit Begin, in order to initiate the peace process.

As to the emigration of Jews from Romania, even a casual visitor to Israel cannot fail to note the strong Romanian influence in that nation. "Cratar" signs are everywhere advertising the Romanian style of barbecue. A daily Romanian-Jewish newspaper is published in Jerusalem. The national dance, the hora, is Romanian.

In Romania a new museum features the years of the Holocaust and a great synagogue has a museum depicting the two thousand year history of the Jewsin Romania, evidenced by artifacts dating back to the Roman Conquest in the First Century.

Two factors were noted in 1976 as "possible conditioning elements of Romanian-Jewish emigration to Israel, namely: (1) The relatively small size of the Romanian-Jewish community in Romania, and (2) the lack of any clear estimate of the number or identification of persons who wish to emigrate." This is still the case. One can visualize the Romanian government sending representatives around the country trying to find Jews who might wish to emigrate and finding that most of those who now remain in Romania just simply don't want to go. Being of advanced age, perhaps on retirement, they might wish to keep their present status and not risk moving to a different country embroiled in a war, with double digit inflation, the need to work two jobs to exist, etc. This is a matter easily enough verified without the need to speculate, however, and it should be.

As to verification, personal observation by authorities of the United States is highly desirable. The Hon. Charles A. Vanik, formerly on the MFN Committee and co-author of the Jackson-Vanik Amendment, argued for approval for Romania, saying in 1979 that he dreaded the idea of turning our backs on Romania, who, in such case, could become another Czechoslovakia. He also stated that "Romania is important to the U.S. geographically." This still is case. Yet it appears easy to forget the fateful days of August of 1968 when Brezhnev's Doctrine was implemented by tanks and the brief experiment of that gallant nation ended brutally. Too many have forgotten that a week before that crushing invasion Ceausescu had visited Czecholoslovakia to show his support and that a day after the invasion he addressed a huge rally in the public square of Bucuresti displaying his deep concern over the invasion, viewing it with "profound anxiety" and vowing that Romanians would defend their own land with pitchforks, if need be. His words did not get the world-wide publicity that Churchill received with his "blood, sweat and tears," speech, but the words welled up from a similar reservoir of nationalism and were couched in the language of his heroic forbears.

Again, in May of 1980, Ceausescu refused to endorse a Soviet draft condemning the Camp David Accords, urging successfully that a draft be adopted which expressed respect for the interests of all nations of the Middle East, including Israel. How soon we forget.

Vintage Ceausescu was reported in Newsweek Magazine of December 15, 1980, relating to a bloc conference which was to publish a communique on Poland: "Without his caveat the summit communique might have been tougher than it was. The statement consisted mostly of a long appeal for the preservation of East-West detente . . . for readiness for a constructive approach to the development of relations with the U.S. if the new American Administration displays the same approach . . . the paragraphs devoted to Poland were upbeat and confident."

In this writer's view it is clear that even if most of the other bloc nations were to join in a Soviet invasion of Poland (which is totally unnecessary as they are there already), Ceausescu would not join, based on his past record of performance.

As to the continuing attack by certain groups relating to Transylvania and the mythical "oppression" of Hungarians, again, the best proof of this false calumny would be personal observation by competent authorities of the U.S. and other impartial governments.

This writer, in Transylvania, personally observed the ubiquitous signs, posters, ads, in Hungarian, which is spoken in stores by clerks who disdainfully refuse to wait on customers who spoke Romanian. This writer urges skeptical Congressmen and others to go to Romania and see for themselves. They will come to the same conclusion as did Josif Gobrin, a high official of the government of Israel, charged with the Eastern European Desk in 1978. A direct question was put to him by this writer: "Based on your personal travels, experiences and reports, is it true that Hungarians are harassed in Romania, especially in Transylvania?" His reply was emphatic. "It is absolutely untrue."

He was asked a second question of a similar nature as to treatment of the Jews in Romania and his response was equally favorable to Romania. He did find it difficult to understand why Romania would maintain relations with the PLO as well as with Israel, in the light of the PLO record of terrorism.

Dr. C. Michael-Titus, of London, made an investigation of such issues on his own, seeing for himself, and published the results which clearly state that Hungarians freely express their cultural heritage and enjoy the use of their mother tongue in opera, theater and their own media.

If the actual truth is seen by enough people then no amount of raucous insult can prevail. It would indeed be tragic if Romania were to be weakened internally by fomented dissension permitting the Soviets to exploit the situation by invasion and occupation. It is the thought of this scenario which compels this writer to write this statement. The restoration of "order" in Transylvania with the subsequent purges, bloodbaths and pillage is all too logical and far too possible.

America is not quite that strong that we can turn our backs on those who would be our friends, especially when it doesn't cost us anything. What is MFN, but the privilege of doing business on a normal basis. It is not too much to ask on behalf of a small but significant nation which needs support in its struggle for self-determination and which has made, through its leader, Nicolae Ceausescu, a great contribution to the cause of world peace. If anyone deserves the Nobel Prize for Peace, it is Ceausescu, a Champion of Peace.

STATEMENT OF ATALANTA CORP., NEW YORK, N.Y., PRESENTED BY GEORGE G. GELLERT, CHAIRMAN OF THE BOARD

I. INTRODUCTION

Mr. Chairman and members of the Subcommittee on Trade No. 31 Committee of Ways and Means, I am pleased to have this opportunity to submit testimony in favor of continuing for Romania, Hungary and China the President's authority to waive the application of subsection (a) and (b) of section 402 of the Trade Act of 1974 (Public Law 93-618) for an extended period of twelve months. Simply stated, our position, in support of the President, recommends the continuation of Most Favored Nation tariff treatment for Romania, Hungary and China.

Atalanta's recommendation is based upon and agree with President Reagan's determination under section 402 (d) (5) of the Trade Act that the extension of the waiver authority will substantially promote the objectives of freedom of emigration in general and, in particular, with respect to these three countries.

II. THE ATALANTA CORP.

I would like to briefly provide the Committee with background information regarding Atalanta, which reflects the company's wide experience in East-West trade and which explains its interest in presenting this testimony to the Committee. Atalanta's involvement in East-West trade spans a period of time exceeding thirty years to the benefit of our U.S. economy.

Atalanta is a marketing organization for a broad variety of high quality food items that are imported into the United States from 46 countries. Our company distributes these products throughout the United States. Atalanta's home office is located at 17 Varick Street, New York City, with sales outlets in Allentown, Pa., Atlanta, Ga., Boston, Mass., Chicago, Ill., Cleveland, Ohio, Dallas, Tex., Indianapolis, Ind., Los Angeles, Calif., Miami, Fla., Milwaukee, Wis., Minneapolis, Minn., Orlando, Fla., Philadelphia, Pa., Phoenix, Ariz., Portland, Ore., Raleigh, N.C., San Francisco, Calif., and Springfield, Mass.

Specifically, Atalanta has been importing canned hams and other products of high quality from Romania since 1970. Atalanta's trade has grown with Romania over these years. In 1981, our company imported products totaling $26 million. In addition, Atalanta serves as a member of the United States-Romanian Economic Council which was organized under the auspices of the Chamber of Commerce of the United States and the Socialist Republic of Romania.

Atalanta has also enjoyed a good relationship with Hungary for more than a decade and imports high quality canned hams and pork products, and other food products from that country. In 1981, we also imported $27 million of Hungarian products. Atalanta is a member of the United States-Hungarian Economic Council which was also organized by the Chamber of Commerce.

Since the recent time that China received "MFN" treatment, the Atalanta Corporation has commenced importing food products from that country. Our trade in 1981 with China approximated $3.5 million. We expect a long and mutually rewarding trade relationship with China. We look forward to introducing many interesting Chinese food items to U.S. consumers during the next few years.

Doing business with Romania, Hungary and China has been profitable for Atalanta and, in turn, the United States economy in general. Likewise, it has been profitable for the countries involved which gain dollar earnings that are utilized for the purchase from the United States of manufactured goods and agricultural products. Atalanta is pleased with the warming of relations between the United States and Romania, Hungary and China. We feel that the continuation of Most Favored Nation ("MFN") treatment is essential to a future increase of trade between the United States and each country involved as well as to a better understanding between respective citizens.

III. ECONOMIC INTEREST OF UNITED STATES TO CONTINUE "MFN"

The United States has traditionally experienced, on a cumulative basis, a favorable balance of trade with Romania, Hungary, and China. We are advised by United States Government officials that this favorable trade situation will remain and increase should "MFN" be continued.

The following charts, based upon Department of Commerce statistics, confirms this view.

[In thousands of dollars]

Market	1978	1979	1980	1981
United States exports to Romania, Hungary, and China, 1978–81: [1]				
Romania	317,423	500,464	720,231	503,890
Hungary	97,682	77,583	79,020	77,510
China	818,241	1,716,500	3,748,993	3,598,600
Total	1,233,346	2,294,547	4,548,244	4,180,000
United States imports from Romania, Hungary, and China, 1978–81:				
Romania	344,561	329,051	310,561	560,140
Hungary	69,153	112,129	107,450	128,550
China	316,743	548,543	1,058,340	1,895,330
Total	730,457	989,723	1,165,790	2,584,020

[1] Source: Compiled from official statistics of the U.S. Department of Commerce.

IV. POLITICAL BENEFITS

Furthermore, and of paramount importance, the granting of "MFN" and the continuation of this sound policy, has, without question, improved the political relations between our country and Romania, Hungary and China. The same constructive results have been experienced by the United States with respect to Yugoslavia—a country which received "MFN" many years before the three countries which are the subject of your distinguished Committee's attention.

V. CONCLUSION

For the aforementioned reasons, the Atalanta Company sincerely supports and urges that your Committee, and the entire Senate, agree with the President that the continuation of "MFN" for Romania, Hungary and China is in the best economic and political interests of our country.

BAKER & MCKENZIE,
Chicago, Ill., July 19, 1982.

Re Hungary.

Hon. SAM M. GIBBONS,
Chairman, Subcommittee on Trade, Committee on Ways and Means, U.S. House of Representatives, Longworth House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The undersigned, an attorney in the international law firm of Baker & McKenzie, representing U.S. companies in Hungary, and Vice Chairman of the U.S. Section of the Hungarian-U.S. Economic Council, wishes to make the following statement with regard to your Subcommittee's hearings on the continuation of both the President's waiver authority for Hungary and Hungary's Most Favored Nation treatment.

In the experience of the undersigned, Hungary has displayed over the past year the same fair and sympathetic attitude towards fostering Hungarian-U.S. business connections as it has done in the past several years. Perhaps the most visible sign of this positive policy is the Atrium Hyatt Budapest Hotel, located in the heart of Budapest, officially opened on June 19, 1982, by Deputy Prime Minister József Marjai. This opening was prominently featured on Hungarian television and in the press, with emphasis on the fact that the Hyatt Group will provide American hotel know-how and technology to Hungary through it management agreement with the owners of the hotel, MÁLEV Hungarian Airlines and Pannonia Hotel and Catering Company. The Honorable Harry Bergold, U.S. Ambassador to Hungary, was among the prominent and distinguished guests, together with many Hungarian officials. The official opening was coordinated with a full board meeting in Budapest of the Hyatt International Corporation, headed by its honorary Chairman, Mr. A. N. Pritzker.

The largest East-West venture consummated in Hungary, and perhaps ever consummated between a Western company and an Eastern socialist country, was entered into this year by a wholly-owned subsidiary of Eli Lilly and BCR, a joint venture formed by Babolna State Farm, Chinoin Chemical and Pharmaceutical Works, Ltd., and the Chemical Works of Gedeon Richter Ltd. A substantial part of the output of BCR-Lilly KFT (the name of the joint venture company), an animal nutrient produced on the basis of Eli Lilly's animal feed supplement technology, is destined for export to other COMECON and Middle Eastern countries.

As you are well aware, such a complex joint venture requires, as a matter of course, voluminous contracts and months of extensive negotiations and drafting. The Hungarian negotiators proved to be fair throughout these detailed discussions and the contracts were approved by the Hungarian Minister of Finance without requiring changes or amendments, another refreshing and noteworthy aspect of the Hungarian government's policy to delegate authority and decision-making to the enterprises involved.

Another example of this cooperative spirit was demonstrated by Gamma Müvek and Intercooperation Co., Ltd. in their dealings with Rosemount, Inc., a Minneapolis based manufacturer of specialized pressure flow meters. In the license agreement executed by the parties, it was provided that either party could terminate the agreement if the official approvals required from each of the respective government authorities were not obtained within five months. While the Hungarian government's approval was granted promptly, Rosemount was not able to obtain the required Validated Export License from the U.S. Department of Commerce within the prescribed time period. Nevertheless, at no time did the Hungarian Parties ever exert any undue pressure on Rosemount or threaten to terminate the Long-Term Cooperation Agreement, thereby demonstrating the Hungarians' full awareness of and sensitivity to the United States Government's export licensing practice, including the unavoidable delays that this may cause. Upon receipt of the Validated Export License, Rosemount's agreement with the Hungarian Parties was finalized at once and became effective this year.

In September 1981, the Hungarian government promulgated extensive and startlingly innovative legislation which permitted, commencing in January 1982, the establishment of privately-owned Hungarian enterprises. This legislation recognized that the large state-owned enterprises cannot always best satisfy the service needs of the Hungarian population, nor provide smaller specialized parts and components required on a fast and flexible basis by Hungary's diversified economy. The new privately-owned enterprises are expected to satisfy these needs and to provide the free enterprise adaptability required by the Hungarian economy.

Based on my long involvement in U.S.-Hungarian legal and economic affairs, I have no hesitation to repeat before your Subcommittee two observations from my recent article entitled "Legal Aspects of Doing Business With and In Hungary", Vol. 15, No. 2, Spring 1982, Vanderbilt Journal of Transnational Law. The first is: "Hungary is a country where laws prevail over people. Hungarian laws are well-designed and evenly administered by a judicial system rich in tradition. For several hundred years Hungarian legislation has reflected a desire to assure individual rights, as well as to define and defend the ownership of property." (P. 256.)

The second observation is: "Hungary has long realized that the Hungarian legal system must accommodate generally accepted international legal principles." (P. 257.)

In my effort to familiarize the U.S. legal and business community with the Hungarian laws applicable to American companies and businessmen doing business with and in Hungary, I prepared this article for publication in the Vanderbilt Journal of Transnational Law. In view of the Subcommittee's interest in Hungarian-U.S. business relations and the effect which Hungarian law has or may have on U.S. business interests, I am taking the liberty of submitting reprints of my article for your review and consideration.

I urge your Subcommittee to grant the continuation of the President's waiver authority for Hungary, as well as to continue to extend Most Favored Nation treatment to Hungary—both of which Hungary so well deserves.

Thank you for considering my statement.

Sincerely and respectfully,

DR. LAJOS SCHMIDT.

THE COCA-COLA CO.,
Atlanta, Ga., July 20, 1982.

Hon. SAM M. GIBBONS,
Chairman, Subcommittee on Trade, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. GIBBONS: As you are considering the extension of the President's waiver authority under Section 402 of the 1974 Trade Act, I would like to express my support for continuing the Most Favored Nation Tariff Treatment for the People's Republic of China. I would further recommend that the President's waiver authority with respect to China be extended on a multi-year basis, rather than annual renewal. This would create a climate more conducive to expanding economic relations between our two countries.

The Coca-Cola Company has been selling Coca-Cola to China since 1979 and early in 1981 the first bottling plant was opened in Beijing. A second plant is presently under construction in Canton. The U.S.-China Trade agreement provides a necessary structure for the kind of expansion of trade withChina that will serve to benefit not only my Company but the economic and political interests of the U.S. as well.

The U.S. enjoys an overall positive balance of trade with China of almost $2 billion, and it is continuing to increase. As China develops its oil resources, Sino-American relations will be enhanced by a continuation of a trade agreement that will enable U.S. companies to participate in this development.

China has met the requirements as specified in the regulations of the 1974 Act. It is my strong belief that the continuation of fair trade practices would be in our country's own best interests and contribute to the improvement of U.S.-China relations.

I appreciate your continuing efforts to monitor these trade agreements to insure that our country's best interests are served.

Sincerely,

DONALD R. KEOUGH.

THE COCA-COLA CO.
Atlanta, Ga., July 20, 1982.

Hon. SAM M. GIBBONS,
Chairman, Subcommittee on Trade, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. GIBBONS: As you are considering the extension of the President's waiver authority under Section 402 of the 1974 Trade Act, I would like to express my support for continuing the Most Favored Nation Tariff Treatment for Romania and Hungary.

In 1981, the United States had a total trade deficit of approximately $30 billion. This figure indicates how important it is, now more than ever, for the United States to consider expanding international trade as a national economic priority to strive to achieve a position trade balance and to create more jobs for Americans. Denial of fair tariff practices at this time would adversely impact the climate in which international trade can grow.

We must strive even harder in the future to reduce trade barriers. Our economy, and consequently all Americans, will only benefit from the United States being in a better competitive position. It is my belief that continuing fair trade practices with our bilateral trading partners will further benefit our trade with these countries and be in our country's interests.

I appreciate your continuing efforts to monitor these trade agreements to insure that our country's best interests are served.

Sincerely,

DONALD R. KEOUGH.

STATEMENT

by the

Committee "The Defence of Religious Liberty and Conscience"(ALRC)

New York, U.S.A.

Addressed to the US Congress House Ways and Means Committee,

on the ocassion of hearings on extending Most Favored Nation Status

to Romania - June, 1982

The Committee "The Defence of Religious Liberty and Conscience"

A L R C

New York,P.O. Box 34,Ridgewood,N.Y.11385,Tel.(212)456-9272

Director General: Rev.Pavel Nicolescu
Members: Dimitrie Ianculovici
Emeric Juhasz
Ioan Flonta
Ioan Tarziu

The Committee "The Defence of Religioud Liberty and Conscience" (ALRC)
New York

NO - to the MFN to Romania (Resume).

Why ?
Because the religious persecution.
Here are some aspects of this persecution:

1.14 Christians in prison:

Gheorghe Calciu-Dumitreasa
Silviu Cioată
Mircea Cioată
Klaus Wagner
Costel Georgescu
Ioan Toader
Hans Holsman

Fibia Delapeta
Maria Delapeta
Petre Furnea
Ioan Racela
Horst Reder
Paul Dragu
Polina Dragu.

2 .18 years of prison: the case of Father Calciu

At present, priest Calciu is very weak,ill,almost blind and subjected to a very strict regim of isolation. It is said that he is not alive. Tortured in 1979 at the secrot police in Calea Rahova,Bucharest: he was forced to keep standing up for 4 days and nights, while some dogs were watghing him and he was not allowed to sleep.

3.The case of 5 baptist pastors from the Baptist Community Bucharest :

Vasile Talos,Vasile Brînzei,Iosif Sărac,Pascu Geabău and Buni Cocar.They are accused for having stolen money, but this is but an attempt of the Romanian government to compromise morally the 5 pastors, because they have a great influence upon the Baptist Church from Romania.

4.The Case of the Greek-Catholic Church

This Church was suppressed in 1948 by the communist regime having the colaboration of the leaders of the Romanian Orthodox Church. Many bishops and priests of this Church died in prison because the torture they sufferd .In 1981, 3 bishops of this Church - Ploscaru,Dragomir,Todea - addressed a complaint to the CSCE from Madrid.The situation of the 3 bishops is difficult. No one knows exactly their situation after complaint to CSCE.

5.The Religioud persecution in Romania under the directions of Moscow

In 1980, the Soviet Union,East Germany,Hungary,Poland,Bulgaria,Czechslovacia and Romania decided in a secret meeting in Hungary to carry "The War against Bibles".
As a result, 11 evangelical Christians have sentenced at between 5 and 6 years of prison. This proves that"the independence of Romania" from the Soviet Union is only a myth. The methods od the Romanian secret police of fighting against believers and desidents are similar to the methods KGB.

6.The situation of 7 Orthodox priests

These are investigated and strictly watched by the secret police because demanded: the release of Father Calciu and more religioud freedom .The 7 are: Gavrilă Stefan,Cornel Avramescu,Viorel Dumitrescu,Liviu Negoiță, Emerich Ambrus-Cernat ,Ionel Vinchici, and Pamfil Radu Mitrofan.

7.Churches closed down or destroyed:
2o years ago hundreds of Churches were closed by the Departament of the Religious Affairs having the collaboration the religious leaders.In the last 5 years others churches were closed:
The baptist churches closed:Arad-Bujac,Motru,Closani,Sebiş, Găujani, Teiuş, Rımnicul Vâlcea,Reşiţa Nr.2,Zalău. Threatend to be demolish: "Sfînta Treime" ("The Holy Trinity"),Bucharest and Churches Nr. 4 and 5 from Timişoara.
The pentecostal Churches closed: Cîmpia Turzii,Lăpuşiul de Sus,Oradea, Rădăuţi,Mediaş-Filadelfia.
The ortdox Churches: Enei (Bucharest) and Domneasca (Focşani)

8.The Communist influence among the Romanian Churches in exil
Manny Romanian in USA want to have good relation to the Romanian government.This is a very great danger for the freedom and independence of our churches. In this situatin, the Romanian disidents must fight as the persecution in Romania as against the communist infiltration in the Romanian churches from USA.

9.News from Romania
"Katholische Nachrichten Agentur" (KNA) from Bonn published at May 22 1982 disparition of franciscan priest Janos Ecsy, from village Csiksomlyo. He was killed. Many catholic Christian think that father Janos was killed by the secert police. This opinion is confirmed by the fact that the funeral of father Ecsy was strictly watched by the men of the secret police.

1o.The case of the Romanian writer Virgil Tănase.
A well-known disident, Virgil Tănase,dispeared at Paris in May 1982.It is believed that he was taken by the agents of the Romanian secret police. (See some articles from the French newspapers with the our Statement)

Due this situation ,the AIRC Committee asks:
1.President Reagan and American Congress not to renew the MFN to Romania
2.The Helsinky Committee to stop the future CSCE reunion in Bucharest.
3.The USA to bring the problem of religios persecution from Romania at the United Nations.

The Committee "The Defence of Religious Liberty and Conscience" (AIRC)
Director: Rev.Pavel Nicolescu Pavel Nicolescu
Members: Dimitrie Ianculovici,Emerich Juhasz,Ioan Flonta
Ioan Tarziu

New York
~~May 9,198~~
June 9,1982.

RECOMMENDATION
By the Committee"The Defence of Religious Liberty and Conscience"ALRC
New York,USA.

Addressed to the US Congress House Ways and Means Committee.
on the ocassion of hearings on extending Most Favored Nation Status
to Romania;June,1982

Because of the religious persecution:NO - to the renewal of the Most
Favored Nation Status to Romania

> Motto:
>
> "Defense Secretary Caspar W.Weinberger
> argues that loans to any of the countri
> (the Eastern Europe countries) indirect
> aid the Soviet Union".
>
> "The New York Times",May 10,1982

Although confrunted with financial and economic crisis without parallel in the history of this communist regime - oweing 12 billions dollars and starving the Romani people,the communist government from Bucharest still finds enough energy to persecute the Christians that manifest their faith in a open and active way,to do their best in order to mislead the public opinion in the West regarding the religious liberty in Romania,and to divide,control and subordinate the Romanian Churches that are found in the free world through the families of the immigrants who want to unite with their relatives.Some of these Churches are already very well handled by the Romanian Embass in Washington.

We are presenting only few aspects of the religious persecution in Romania:

1.14 Christians in prison.
2.The case of Father Calciu:18 years in Romanian prisons.
3.The attempt to compromise morally 5 baptist pastors.
4.The case of the Greek-Catholic Church.
5.The tragedy of a familly that wants to emigrate:Paul Dragu.
6.Through Moscow's directions,Romania closes down the Bible network.
7.Orthodox priests demand release of Father Calciu and more religious freedom.
8.The ALRC Committee in Romania.
9.Underground religious movements and Churches.
10.Closed down Churches or destroyed(Bujac,Motru,Cloşani,Enei,Domneaca,Zalau etc.)
11.The case of the baptist Liviu Capusan from Cluj.
12.The communist influence among the Romanian Churches in exile.

1.14 Christians in prison.

Name	Religious denomination	Reason for convict.	Civil Status	Period of convict.	Address
1.Gheoghe Calciu-Dumitreasa	Orthodox priest	Preached against atheism and the demolition of some Churches	married 1 child	10 years	Ghirland Bloc 44, Et.9,ap. Bucurest
2.Klaus Wagner	Brethren	Distribution of Bibles	married 4 children	6 years	Eminescu Sighisoa
3.Dr Silviu Cioata,	Brethren	The some	married 3 children	5 years+ 3 months	Intr.Pet nr.9.Bl. Ap.20,PL
4.Ing.Mircea Cioata, (Silviu`s brother)	Brethren,	The some	married 2 children	5 years+ 3 months	Lenin nr Bl.A,Sc. Ap.19,PLO
5.Costel Georgescu	Brethren	The some	married 2 children	6 years	Sos.Vest Bl.101,Sc Ap.73,PLO
6.Ioan Toader (Ciota`sbrother-in-law)	Brethren	The some	married 4 children	5 years+ 3 months	Veronica Micle 42 PLOIESTI
7.Fibia Delapeta	Orthodox ("The Army of Lord")	The some	un married	5 years	CARPINIS, jud.Braso
8.Maria Delapeta (Fibia`s Sister)	The some	The some	unmarried	5 years	CARPINIS, jud.Braso
9.Hans Honlzmann	Brethren	The some	married 6 children	5 years+ 3 months	Dragoş Vo 20,Braşov
10.Petre Furnea	Brethren	The some	married 5 children	5 years+ 3 months	Zidari nr. PLOIESTI
11.Ioan Raceala	Adventist	The some	married 3 children	5 years+ 6 months	V.Alecsan 20,SLOBOZ jud.Ialom
12.Horst Feder	Brethern	The some	married 2 children	5 years+ 3 months	Ilarie Ch 87,SIGHIS
13.Paul Dragu,	Brethren	He demanded to emigrate	married 4 children	6 months	8 Martie TIRGU JIU
14.Polina Dragu (Paul`s wife)	The some	The some	The some	4 months	The some

2.The case of Father Calciu:18 years in Romanian prisons.

In the spring of 1979,the Orthodox priest Gheorghe Calciu-Dumitreasa was sentence to 10 years of prison,after being dismissed from his job as a professor at the Ortho Theology Seminary "Radu Vodă",Bucharest.In his sermons,he attacked the marxist philosophy,calling it "a philosophy of despair",and denounced publicly in 1977 the demoli of two Orthodox Churches.(Enei from Bucharest and Domneasca from Focsani).Before tha Father Calciu completed 16 years as a political prisoner,being released in 1964. At present,Father Calciu is very weak,ill,almost blind and subjected to a very strict regime of isolation.It`s said that he is not alive anymore.In 1979,he was tortured at the Secret Police station in Calea Rahovei,Bucharest,where,in order to make him talk,he was kept standing for 4 days and nights,while some dogs were watching him an he was not allowed to sleep.

3.The attempt to compromise morally 5 baptist pastors.

Agter a financial control,5 baptist pastors from the Baptist Community of Bucharest: Vasile Talos,Vasile Brinzei,Iosif Sarac,Pascu Geabau and Buni Cocar,were accused by the Department of the Religious Affairs and the Baptist Union,for having stolen amount of 700,000 lei.A file of 30 typed pages was worked out against them.The Baptist Union issued a statement against them,published by"Indrumătorul Crestin Baptist"(The Christian Baptist Guide),year XXXVI,nr.5-6,1981.Also,the magazine "Flacăra"(The Torch) published under the signiture of Cici Iordache,on Oct.27,1981,an article with the title:"Corruption behind the mask of repentance",article which demanded the trial of the 5 baptist pastors.The article tried to influence the public opinion against these 5 pastors and put them in prison.The accusation had no a serious base,as the money were indeed spent without the permission of the Dapartment of the Religious Affairs,but with agreement of the Churches.In fact,what the government tries to do is to put them aside from the religious life of the Romanian Baptist Churches.These 5 pastors are very well known by all baptists from Romania.It is also known that they very often did not agree with the decisions taken by the Department of the Religious Affairs,especially if we keep in mind that Vasile Talos,graduated the Law Faculty(Bucharest University) and has been producing headaches to the jurists of the Department of the Religious Affairs,Iosif Sărac who opened 12 Churches while he was the president of the Bucharest Baptist Community without the Department approbation,and Buni Cocar who is the pastor of a Church which makes continuous progress.

4.The case of the Greek-Catholic Church.

In 1981,the Bishops Ploscaru,Dragomir and Todea,addressed a complaint to the Reunion of Helsinki from Madrid,the Conference for Security and Cooperation in Europe,demanding freedom for the Greek-Catholic Church which was suppressed in 1948 by the communist regime,suppression that was followed by the death of many priests belonging to this Church.They died because of the torture they suffered as well as of the bad conditions in prisons.Later on Pope John Paul the Second devoted the priest Traian Crisan from Rome,like bishop of the Greek-Catholic,expressing words of praise for this Church. Because of this,the Patriarch of the Romanian Orthodox Church accused the Vatican for the meddleing in the religious problems in Romania.The actual juncture created a difficult situation for the 3 Bishops,about who no one knows anything anymore after the arrival their complaint in West.In the past these 3 Bishops suffered many years of prison for their belief.

5.The tragedy of a familly that wants to emigrate:Paul Dragu.

During the last 2 years the Dragus,Brethren from Tirgu-Jiu did many deads among which also the hunger strikes two times to obtain passports in order to leave the country. The Dragus were investigated,given fines and are arrested.The trial went on with the door closed and sentenced to six and four months.Mrs.Dragu became ill in prison and without her will she was taken to a psyhiatry hospital.Paul Dragu is still investigated and tortured in order to make staments about his religious activities and about his connections woth the Romanian Christians from abroad.It is expected that the authorities to open a new trial against Paul Dragu under the accusation of "activities against the State".Paulina Dragu is no longer in the hospital but her left side of the body is paralysed.In the hospital she was given drugs and now she and her four children are strictly watched by the Secret Police.In January 1962 it was an attempt of killing one of her children,Dragu Mariana.

6.Through Moscow`s directions,Romania closes down the Bible network.

In 1980,7 countries:Soviet Union,East Germany,Hungary,Poland,Bulgaria,Czechoslovckia and Romania decided in a secret meeting held in Hungary to initiate a campaign named "the war against the Bibles".The representants of the seven countries decided:

-to use different ways in finding those Christians who transport Bibles and give them away to other people.

-to inform mutualy regarding the Christians who were arrested.

-to torture the Christians that were arrested for this matter.

-and to send communist agents to the free world,to the organizations that send religious literature to the communist countries in order to find out who and how this is done.

As a result of this,11 evanghelical Christians have been arrested and senteced between 5 and 6 years in Romania.(In this respect,please look at the first point "14 Christians in prison" of this paper).

7.Orthodox priests demand release of Father Calciu and more religious freedom.

Seven Orthodox priests have been investigated,tortured and strictly watched by the Secret Police for the fact that they demanded from the hierarcy of the Romanian Orthodox Church and from the Government more religious freedom,to free Father Calciu and because they prayed during the sermons for Father Calciu.These priests are:Gavrila Stefan(tortured for many years for his courage),Cornel Avramescu(dismissed from his job) Vicrel Dumitrescu,Liviu Negoita,Emeric Ambrus-Cernat,Ionel Vinchici(who was threatened to be dismissed;but according to the latest news,the four priests have already been dismissed) and Pamfil Radu Mitrofan,spoke openly to their superiors about Father Calciu. They also are:

-against of the interference of the State into the Church`s Affairs,
-against the political orientation of the priests in the so called "meetings of orientation",
-and against the coward attitude of the Orthodox hierarcy in its relations with the communist regime.They also asked for:
-freedom for Father Calciu,
-to let the suppressed Greek-Catholic Church again to exist,
-legalization of the movement "The Army of the Lord",
-the right to teach the children and the young people the Bible,
-free cooperation with other Christian confessions.

8.The ALRC Committee in Romania.

Even though some of its members were exiled,other Christians continued to work for the ALRC Committee and to send informations in the West about the religious persecution in Romania.The most well known are Ioan Teodosiu and the pentecostal pastor Gavrila Giurgiu.Ioan Teodosiu was unfairly accused for espionage,arrested and later he was released,after many protests from West.His brother,Sabin Teodosiu,died in an accident at work,accident which is believed to be directed by the Secret Police.The pastor Gavrila Giurgiu has been investigated and bitten by the Secret Police.In the past Gavrila Giurgiu was sentenced for the fact of belonging to "the Army of the Lord" movement..

9.Underground religious movements and Churches.

The most known are:
1.The Greej-Catholic Church,suspended in 1948.

2.The movement of Reformers Adventists.
3."The Army of the Lord",movement having almost 500,000 members.
4.Jehovas's Witnesses.
Both in the past and today,the believers of these religious movements suffered a lot.

10.Closed down Churches or destroyed.

20 years ago hundreds of Chrches were closed down by the Department of Religious Affairs.In the last years through despotic actions of the State the baptist Churches: Dej,Bocşa,Arad-Bujac,Motru,Cloşani,Gîrbou,Falticeni,Sebis,Resita nr.2,the pentecostal Churches:Lapugiul de Sus,Oradea,Medcuti,Medias-Philadelphia,have been closed down.In last April it was distroyed the Baptist Church from Zalau.Threatened to be demolish pretty soon are the following evanghelical Churches:"Sfinta Treime" from Bucharest and Baptist Church nr 4 and nr5 from Timisoara.

In 1977 the Orthodox Churches:Enei(Bucharest) and Domneasca(Focsani) have been demolished with the approval of the Romanian Orthodox Church.

A particular situation presents the Adventist Theological Seminary from Stupini (Brasov) which was taken by the State.The Seminary building is belonging to the to the Adventist Church but it is used by the State.20 years ago the Adventists were forced to give their newly built Church in the City of Ploiesti str.Democratiei to the State.Later it was transformed in a theatre.

11.The case of the baptist Liviu Capusan from Cluj.

Liviu Capusan is the father of Radu Capusan a well-known dissident,who is now working in USA against the religious persecution in Romania.Because of this,the Secret Police cut down the telephone connections with his father in Cluj.Romanian turists advised Radu Capusan to stop his activities.In the same time the Secret Police investigated Liviu Capusan and thretened him to see never his son again if Radu is still going on fighting against the persecution in Romania.

12.The communist influence among the Romanian Churches in exil.

One of the most difficult problems is that the communist regime from Bucharest affects more and more the Romanian Churches from USA,this being possible because of the problems that the Romanian immigrants have to face-reunion of their families or bringing in of their close relatives.It is known that the Romanian Embassy from Washington plays an important role in this respect.We mention a painfull fact that at the meeting of February 14,1982 the pastor,the Committee and the Romanian Baptist Church from New York agreed by voting for the relations with the Romanian Embassy from Washington.The members of the ALRC Committee who were against it were excluded from the Church Committee.

Due to many complex aspects of the religious persecution in Romania and keeping the persecution in mind,the ALRC Committee asks:

1.President Reagan and American Congress not to renew the clause of the most favored nation.
2.The Helsinki Committee to stop the future reunion CSCE in Bucharest.
3.The USA to raise the problem of religious persecution in front of United Nations.

The ALRC Committee supports the resolutions of Kentucky and Georgia States who asked not to renew the clause of the most favored nation for Romania.

The Committee:"The Defence of Religious Liberty and Conscience"(ALRC):New York

General Director: Rev.Pavel Nicolescu
Members: Dimitrie Ianculovici,Emerich Iukasz,Ioan Flontz,Ioan Tarsiu

THE CHRISTIAN ROMANIAN COMMITTEE
"THE DEFENSE OF RELIGIOUS LIBERTY AND CONSCIENCE"(ALRC)
NEW YORK,Box 34,Ridgewood,N.Y.11385

As Romanian immigrants,havind come from Eastern Europe into the New World,we were pleasantly impressed to hear your voice speaking strongly in the defense of those who still seffer repression in out times.

This fact constitutes a strong stimulant for us in going beyond our hardships- as beginners in a new life in this beautiful country and uniting our voice with yours in the support of our brothers in faith whose life is in permanent danger,because they wish to live and fight for true religious freedom in Communist Romania.

The families presented below are formed of christians well-known by us and who have suffered a great deal in many ways from the Romanian authorities through beating, investigations,searches,threats,difficulties on the job or at school.Their only "ofence" is that they love Jesus Christ and they feel they should live their faith in a brave and militant way.This fact is interpreted as a defience to the official ideology which is marxist-atheist.This is why they are submitted to all kinds of pressures and for this reason they have decided to emigrate in the USA to be able to live and show their faith-themselves as much as their children- in a free and worthy way.

But even their right to emigrate is cancelled.For years,the Communist Romanian authorities refuse to eliberate their passports,while our brothers are kept under strict supervision and moral pressure.

Because they are our brothers in faith and nationality,we unite our voice with theirs to beg you to support their wish to emigrate to the USA.

Below are their names and addresses:

1.Gheorghe Ilcau,baptist,with wife and 2 children,from Timisoara,str.Luncii nr.15
2.Petru Tutu,baptist,with wife and 2 children,from Timisoara,str.Iosif Ranghet nr.6
3.Petru Iela,baptist,with wife and 2 children and his mother-in-law,from Caransebes,
Aleea Liliacului,Bl.5,Sc.E,Et.3,Ap.16,Cod.1650,jud.Caras-Severin.
4.Ioan Teleaga,baptist,with wife and 2 children,from Caransebes,str.Padesului nr.7
5.Paul Dragu,Brethren,with wife and 4 childrem,from Tirgu-Jiu,str.8 Martie nr.5,
cod.1400,jud.Gorj.
6.Ioan Brisc,baptist,with wife and 1 child,from Zalau,str.Porolissum,Bl.S 22,Ap.15,
Et.3,cod.4700,jud.Salaj.
7.Cornel Avramescu,Orthodox priest,with wife and 2 children,from Uroi nr.68,cod 2625,
jud.Hunedoara.
8.Viorel Dumitrescu,Orthodox priest,with wife and 1 child,from Lugoj,str.Dr.P.Groza,
nr.9,cod.1800,jud.Timis.
9.Liviu Negoita,Orthodox priest,with wife and 1 child,from Maureni nr.379,cod 1739,
jud.Caras-Severin.
1o.Emeric Ambrus-Cernat,Orthodox priest,with wife and 2 children from Crivina nr.19,
Com.Nadrag,cod.1823,jud.Timis.
11.Ioan Teodosiu,baptist,with wife and 1 child,from Cluj str.Almasului 40,cod 3400.
12.Octavian Dobos,baptist,with wife and 5 children,from Arad,Calea Aurel Vlaicu
Bl.2A,Sc.C,Ap.23,Jud,Arad,cod.
13.Ilie Flonta,baptist,single,from Maderat nr.255,jud.Arad(reunion with his son)
14.Mihai Ileana,baptist,wife and 2 children,fron Arad,str.Gh.Halmagean nr.6.
15.Milente Pop,baptist,with wife and 2 children,from Arad,str.Vintului nr.4

16.Nicolae Sîrb,baptist,with wife and 4 children,from Arad,str.Bobîlna nr.22
17.Pavel Chiu,pastor baptist,with wife,from Arad,str.Hunedoarei nr.22
18.Ioan Crisan,baptist,withe wife and 1 child,from Timisoara,str.Cosminului nr.31,
Sc.B,Ap.8,cod.1900,jud.Timis

19.Petru Botas,baptist,with wife and 2 children,from Timisoara,str.G.Bacovia nr.6.
20.Gheorghe Cioc,baptist,with wife and 3 children,from Timisoara,str.lemnari nr.5
21.Alexandru Dorobont,baptist,single,from Timisoara,Calea Buziasului nr.74.
22.Liviu Capuşan,baptist,single,Cluj str.Cîmpului nr.24 (reunion with his son)
23.Gavrilă Giurgiu,pentecostal pastor,with wife ,from Cluj str.Bistriţei nr.26
24.Constantin Hutman,baptist,with wife and 1 child,from Reşiţa,str.Zimbrului 15
25.Zaharie Ploscaru,baptist,wife and 3 children,from Motru,Bl.C6,Sc.4,Ap.4,cod 1416,
jud.gorj.

26.Anisoara Lungu,baptist,with 2 children,from Timisoara,Calea Girocului 27,Sc.A,
Et.3,Ap.14,jud.Timis (reunion with her husband)

27.Veronica Tigan,baptist,with 1 child,from Sînnicolau Mare,str.Aprcdul Purice nr.7
Jud.Timiş (reunion with her husband)

28.Ioan Maier,baptist,single,from Bucharest,str.Logofat Tautu nr.17,Sect.3,cod 74254
29.Dr.Ionel Cana,orthodox,single,from Bucharest
30.Ec.Gheorghe Braşoveanu,orthodox,with wife and 1 child,from Bucharest,str.Grigore
Alexandrescu nr.26,Sect.1,cod.71129.

31.Aurel Rusu,pentecostal,with wife and 2 children,from Timişoara,str.Echitaţii nr.1
Apt.19,cod.1900

32.Gheorghe Balica,baptist,with wife and 2 children,from Arad str.Gh.Hălmăgean nr102
33.Teodor Nuţaş,pentecostal,with wife and 9 children,Timisoara str.Andreescu nr.17
34.Dumitru Mureşan,baptist,with wife and 3 children,Bistriţa,str.Arcaliei nr.231
35.Daniel Crişan,pentecostal,with wife and 2 children,Timişoara,str.Apiculturii 9
36.Eugen Popa,pentecostal,sat Lungeni,com.Broşteni,jud.Suceava.
37.Lea Lupulescu,baptist,loc.Fîrdea,jud.Timiş.
38.Gheorghe Buzine,pentecostal,from Suceava,str.Aurel Vlaicu nr.17,jud.Suceava.
39.Ilie Pitianpentecostal,with wife and 6 children,from Iaşi,str.Vitejilor 12,Bl.B8,
Et.4,Ap.3,cod.6600

40.Iosif Tofănel,pentecostal,with wife and 3 children,fron Rădăuţi,str.Tîmplarilor
nr.2,cod.5875,jud.Suceava.

41.Maria Geambaşu,pentecostal,from Timişoara,str.Timiş nr 1,Sc.C,Et.2,Ap.6,jud.Timiş
42.Ioan Fritea,pentecostal,with wife and 6 children,from Timişoara,str.Brînduşei 18,
Apt.42,Et.10,Sc.B,cod.1900,jud.Timiş.

43.Samuel Vizitiu,Brethren,with wife and 2 children,from Craiova,str.Ceahlăului
nr.11,cod.1100,jud.Dolj.

44.Emil Vizitiu,Brethren,Craiova,Cartier Valea Roşie,Bl.3,Sc.C,Ap.18,cod.1100.
45.Ioan Stan,Brethren,with wife and 2 children,fron Craiova,str.Ana Ipătescu 52.

They have all filled their petitions to emigrate more than two years ago.

We believe that the time has come for Romania to respect the signature on all the international documents including the Final Act of Helsinki,which promises to respect, among others,the freedom of conscience,of faith and of emigration.

As we are waiting for your response we ask you to receive our complete consideration

New York,May 20,1982

The Romanian Christian Committee ALRC
General Director:Rev.Pavel Nicolescu

STATEMENT OF PAUL E. JOHNSON, VICE PRESIDENT, SPECIAL MARKETS, INTERNATIONAL HARVESTER CO.

International Harvester Company appreciates the opportunity to express its views on continuation of the waivers applicable to trade with the Hungarian People's Republic, the Socialist Republic of Romania, and the People's Republic of China. International Harvester has a long history of trade with both Easten Europe and China—our predecessor company began trade with Eastern Europe in 1880 and our trade with China goes back to the turn of this century.

Today, in addition to sales of equipment manufactured in the West, IH has cooperation agreements in manufacturing with enterprises in Poland and Hungary. In light of these successful relationships, we are pursuing additional opportunities in Eastern Europe and China.

Since the United States granted Hungary most-favored-nation (MFN) status, Hungarian products have been able to find greater access to the U.S. market. We have no doubt that continuation of MFN status for Hungary will facilitate the growth of International Harvester's trade with Hungary.

International Harvester currently sells to Hungary complete machines, service parts and components to complement local technology, and provides technical assistance in the form of licensed technology. In 1982, we expect these sales to total approximately $5 million. IH purchases from Hungary tandem drive axles for heavy-duty truck tractors. Such purchases are currently running at a much lower level than originally scheduled due to the depressed state of the U.S. truck market. It is important to emphasize that the IH exports of U.S. goods and technology mentioned above could not be realized unless the company were also purchasing axles from Hungary.

Over the last 10 years, Hungary has been developing a system of intensive cultivation and harvesting of grain crops that is on the leading edge of world technology and is a model for all of Eastern Europe. U.S. partners have assisted the Hungarians in this program and since the granting of MFN treatment by the U.S. and Hungary to each other's products, International Harvester has been designated by Hungary as the prime supplier of equipment for this program. As a result, IH is now moving to take advantage of this growing opportunity to sell large tractors and companion implements throughout Hungary. Hungary has thus become a major export market for our agricultural equipment manufactured in the U.S. (an estimated annual sales of $12 million annually)—a market we believe will continue to grow under the encouraging umbrella of MFN.

International Harvester has been particularly pleased with its business association with the Hungarian enterprise, RABA, which has proven to be a reliable supplier of quality axles to our Fort Wayne, Indiana, heavy-duty truck plant. RABA has adapted rapidly to the technology we have transferred to it in both the truck and agricultural equipment areas. Our association with RABA has always been in strict accordance with the highest standards of business ethics from the moral, financial, technical, and commercial points of view.

As is the case with Hungary, enterprises in Romania need convertible currency generated by sales to the U.S. if they are to be able to, in turn, increase their purchases of U.S. products. International Harvester believes continuation of MFN status for Romanian products will facilitate the growth of IH's trade with Romania, where we are always pursuing additional opportunities for mutually beneficial trade.

In China, International Harvester has moved to take advantage of the opportunities for major equipment sales opened up by approval of the U.S.-China bilateral trade agreement in 1980. We believe China will be a significant market for the products that International Harvester makes—medium- and heavy-duty trucks, agricultural machinery and construction equipment. China's modernization plans, even though less ambitious now than when originally formulated, put a high priority on developing agriculture, the transportation system, and the extraction of natural resources. The needs of these sectors would provide major export opportunities for U.S.-based suppliers of capital equipment. China's interest in U.S. equipment has been demonstrated by major orders for International Harvester forestry equipment, agricultural machinery, and large oil-field trucks.

Finally, I would like to emphasize our belief that maintenance of normal trading relations with China and Eastern Europe, and American industry's interaction with government officials and leaders in those countries, have tended to break down barriers of suspicion and mistrust, helping in some way to move the world closer to peace.

For these reasons, we heartily support extension of the waivers of the Jackson/Vanik Amendment and the resulting reaffirmation of MFN status for Hungary, Romania, and China.

NATIONAL FOREIGN TRADE COUNCIL, INC.,
New York, N.Y., July 6, 1982.

Chairman S. M. GIBBONS,
Subcommittee on Trade, Committee on Ways and Means,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The National Foreign Trade Council, whose membership comprises a broad cross section of highly diversified interests engaged in all aspects of international trade and investment, supports the President's recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements, under Section 402 thereof, for the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China.

A satisfactory balance of concessions in trade and services has been maintained between the United States and those countries. An extension of the Most Favored Nations Treatment will help to maintain our market share in those countries. The extension of the trade agreements will provide continuous advantages to U.S. companies. In addition to the economc benefits, non-discriminatory trade helps create an environment of cooperation and reduced tension in which vital national objectives can best be achieved.

It is respectfully requested that this statement on behalf of the National Foreign Trade Council be included in the record of the hearings on the President's recommendation to extend the waiver authority for the above-mentioned countries which are to be held by the Subcommittee on Trade on July 12.

Sincerely,

RICHARD ROBERTS.

ROMANIAN-AMERICAN NATIONAL CONGRESS, INC.,
Woodside, N.Y., June 21, 1982.

Hon. SAM M. GIBBONS,
Chairman, Subcommittee on Trade, Committee on Ways and Means,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writting on behalf of the Romanian-American National Congress (Eastern Division), to express our concen regarding the granting of the Most Favored Nation status to the Socialist Republic of Romania.

RANC is a cultural, educational and fraternal organization, dedicated to upholding the ideas of the founding fathers embodied in the United States Constitution.

We strongly believe that the trade concessions made by United States have not been reciprocated satisfactorily by the S.R.R. and we are against the extension of the waiver authority under section 402 of the Trade Act.

We speak on behalf of the thousands of Romanian emigrants whose opinion our members have come to know, and we believe that the majority of population suffering in S.R.R. shares our opinion. MFN status can not be narrowly related only to SRR's policy on emigration; it must be placed in the context of SRR's overall policy and United States policy towards the communist world. What happens under this provision of the Trade Act and who benefits from it? The MFN treatment allows SRR products to enter the U.S. market under minimal tariffs. Meat products and cheese, two of the main products exported here are extremely scarce in SRR. While thousands of tons are sent abroad the Romanian citizens are starving on their meager 2 lb. per month allowance (if it can be found). Textiles, footwear, glass, steel, are SRR's other manufactured exports that negatively affect U.S. in sensitive areas, contributing to the injury of the U.S. industry.

Some of the businessmen that voiced their opinion in favor of the MFN status, represent electronic manufacturers whose products are used by the SRR police for the surveillance of citizens.

How is SRR using the additional funds generated by lower tariffs? One can visit U.S. mnilitary museums to see proof of weapons made in SRR used by U.S. adversaries during military conflicts. The funds are also injected in an ailing heavy industry, in spite of sound economic reasons that indicate otherwise.

Externally the funds are used for: disinformation; efforts to control media; use of Communist parties and front organizations; clandestine radio broadcasting; personal and economic blackmail; assaults and kidnappings. None of this is to be mistaken for open, accepted diplomacy.

The MFN issue is closely related to the granting of credits by Western financial institutions. Beginning with 1970, Export-Import Bank of U.S. and the Commodity Credit Corp. financed an increased trading activity. Also, since 1970 the degree of internal repression and party interference in the economic activity has grown considerably while SRR has fallen to the last place among Communist countries with regard to the standard of living. Is this a coincidence or is there a relationship? We believe there is a strong correlation, reflected in the Romanian Communist Party's confidence that once the credits are secured they can safely supress freedom.

Mr. Ceausescu continues his bankrupt economic policy despite foreign or domestic advice. The development of the petrochemical industry was based on false premises and Ceausescu does not recognize the role of the agriculture and wastes the country's assets on the heavy industry.

The International Monetary Fund blocked additional credits last November because Ceausescu refused to implement the reforms he agreed to previously. Even if his own men express different opinions or alternatives, he replaces them promptly. Witness the frequent changes of prime-ministers.

Why subsidize a dictatorship and a cult of personality of unprecedented proportions in the history of Romania? If standard credit criteria used in U.S. would be applied to SRR, they wouldn't qualify.

Between 1973 and 1977, out of eight joint venture companies formed to operate in SRR, more than half withdrew and no new ventures have been formed ever since.

Regarding the emigration policy, SRR employs a discriminatory policy well documented by other minority groups that take ample space in the Congressional records. We want to emphasize that true polictical prisoners and disidents are denied permission to emigrate. Note also that SRR, just like communist Cuba, has released a large number of common convicts mixed in with bona fide refugees, in order to put a burden on United States and to discredit the true refugees.

The emigration policy can not be viewed independently of other human rights matters. SRR is a police state where most brutal means are employed to quell dissent. Sufficient evidence on this matter is available in documents issued by the Dept. of State, the Congress Committee on Foreign Affaires, the Commission on security and Corporation in Europe, Amnesty International, and others.

Romania is similar to Poland, except that there is no need to declare martial law in Romania. The country has been under a de facto material law type of order since 1947. The threat of Soviet intervention is cited by the party in order to justify the crushing of any type of resistance. Externally, Moscow is using Mr. Ceausescu as its mailman and speaker in maintaining useful third parties contacts that would otherwise discredit Moscow in the eyes of the Third World. The "maverick" myth, conceived in Moscow, enables Mr. Ceausescu to carry out this duty in a credible manner.

It has become obvious now that nations can best free themselves from communism through internal resistance. We can precipitate this reaction by denying economic advantages, which are used to prolong the faltering communist system. The communiqué issued recently at the Versailles Conference states that the economic relations with Eastern Europe must be based on a sound economic basis, including the need to limit export credits. Protests and prayers are not enough and, as President Reagan said recently, "we must take concrete actions to move towards the goal of helping people to resist communism."

The CSCE agreement in Helsinki (1975) has not been observed by Eastern Europe and the CSCE in Madrid (1982) ended in a deadlock. We must now set an example for our Western allies and take steps to curtail trade with communist countries. We hope that the U.S. Congress will understand the plight of the Romanian people and cease to subsidize the present regime.

Sincerely yours,

VALENTIN A. CANTOR,
President of RANC, Eastern Div.

STATEMENT OF SILVIU-STEVE VERNESCU, PRESIDENT, ROMANIAN FREEDOM TASK FORCE (FRAL)

My name is Silviu Steve Vernescu, a resident of New York City and President of the "Romanian Freedom Task Force", a non-profit organization dedicated to fighting communism and its pernicious philosophy, by all means available to us, short of terrorism.

I would like, first of all, to avail myself of this opportunity to express my profound gratitude to you and to the distinguished members of this committee for affording us the privilege of testifying before this illustrious body, with regard to the extension of the Most Favored Nation Clause to communist Romania.

I would, therefore, like, if I may, start to by quoting Sen. Henry M. Jackson's July 22, 1981, letter to the Hon. John Danforth, Chairman of the Subcommittee on International Trade:

"The (U.S.) Congress has put special emphasis on the right to emigrate. Of all the individual liberties contained in the U.N. Declaration of Human Rights, none is more fundamental than that in Art. 13—the right to free emigration: it is the lifesaving liberty of last resort of individuals or religious or ethnic groups who either cannot tolerate or be tolerated by their own governments."

Here, brilliantly condensed in a few phrases, is the substance of the whole problem to be debated here, before this distinguished gathering, or before any world tribunal, for that matter.

The Jackson-Vanik Amendment is the answer to the age-old, baffling puzzle: "quis custodiet ipsos custodes", but the Amendment has, in my opinion, a much broader range, extending to and including the stated concern of the United States of America for each and every individual human right.

While we fully and unreservedly agree, therefore, with the spirit of the Amendment that the right to emigrate is an essential right no human being should be deprived of, we would like to remark that, too strict an adherence to the letter of Art. 13, is liable to be misconstrued by the beneficiaries of the MFN clause as meaning that all the U.S. wants of the communist countries is that they allow their hapless citizens to leave their homeland when the pressures become unbearable.

Such a narrow interpretation of the famed article—which made the substance of the Helsinki Conference—tends to bypass those individuals who, for one reason or another, cannot or do not, wish to leave their homeland. Do they not deserve as much consideration as do those who, unable to tolerate the oppression and degradation their own governments subject them to, choose to renounce their homes and families and start anew elsewhere?

I wish to emphasize that this is not idle rhetoric or loose talk, either: as far as the Romanian people are concerned, at least, they have never been a nation of emigrants. If you cast a glance at the Census Bureau's statistical records you will see that of all minorities the Romanians in this country are the least numerious group. It is due to their attachment to their land that the Dacian-Romanians were able all along their history to withstand the most harrowing vicissitudes, from the early barbaric invasions down to the last and bloodiest one, that by Soviet Russia, without fleeting their land.

I would imagine that the government of the United States would like to know whether or not this life-saver granted Romania yearly has benefited those it is intended for: the only possible way of ascertaining a thing like this would be by subjecting Romania's record to a careful scrutiny, starting with 1975, the year Romania was first granted the waiver.

This is why we are here today; to testify that the Romanian people's lot has not changed one iota, that the totalitarian government of Romania has not grown more lenient towards its own people, that despite assurances to the contrary, the overall record of Romania's inhuman treatment of those who attempt to leave the country is as bleak as ever:

Item: Despite the provisions of communist Romania's hypocritical constitution, replete with rights and liberties, Romania's government has filled the country's jails with those who have demanded "the fundamental right" to live in freedom and dignity in their own country as well as those who sought to avail themselves of the provisions of the Helsinki Final Act—of which communist Romania is a signatory and applied, in their naivete, for a passport to leave, as if Romania were a democratic society!

Item: The Romanian intolerant government—according to the latest press reports—persecutes priests who preach the gospel of God while prohibiting the printing and selling of the Bible.

Item: The repressive Romanian regime, at Mr. Ceauseseu's instigation, nipped in bud mercilessy the first genuinely free trade unions in Romania since 1944—known as S L O M R—by imprisoning, exiling or even murdering their leaders.

Item: Mr. Ceausescu personally squashed ruthlessly the uprising of the Jiu Valley miners, the leaders of whom were, likewise, jailed, exiled or murdered.

Item: Encumbered by a mind—boggling—for a country Romania's size—$13 billion in foreign debts, circa ten times the country's GNP, of which Romania is unable to pay the accrued interest, let alone the principal, Romania is for all practical purposes, bankrupt, in spite of the massive infusion of foreign capital and investments.

Item: Mr. Ceausescu's inhuman regime has lowered a sound-proof iron curtain over the country, so while the state-controlled media sing paeans to Ceausescu's superhuman qualities, the most benign forms of dissidence and disobedience are harshly dealt with: imprisonment, psychiatric asylums, internal deportation and so forth, when not the old fashioned, but efficacious, political assassination.

Item: The hundreds of millions of dollars lent to Romania, are used by Ceausescu and his inner circle not to alleviate the ordinary man's plight, but for personal aggrandizement as witness the pageantry and lavishness surrounding Romania's "first family" befitting an Oriental despot of yore which Mr. Ceausescu resembles to an unbelievable extent. It is common knowledge that, despite glowing accomplishments boasted by Romania, the lines of hungry consumers in front of the food stores grow ever longer and that the waiting is usually futile as the supply of basic food stuffs dwindles from day to day. And that happens in a country that before the fateful communist takeover of 1944, was daubed "the granary of Europe"!

The most surprising fact, however, is that while the extension of the clause to communist countries is predicated upon their compliance with the Jackson-Vanik Amendment, it has become almost a matter of routine to extend the clause year after year without monitoring to make sure that, after receiving the extension, the communist governments remember to observe the provisions thereof.

In spite of the glaringly obvious fact that Romania has all the trappings and makings of another bankrupt Poland, due to its own barbaric, inhuman policies consonant, no doubt, with the Marxist tenets, a long discredited contention seems to be still prevailing in the American media and government circles that, as the January 26/1982 issue of "The New York Times" put it: "Romania's (economical) difficulties stem largely from its efforts to reduce its dependence on Moscow—efforts that should get support from Washington." And the author concludes, in a befuddling non-sequitur, based on a profoundly flawed assessment of the Romanian leader's policies, that "Ceausescu is not anti-Soviet because he wants to maintain popular acceptance, but because he is moved by nationalism and resentment against the Soviet Union."

This seems to fall in line with Senator Jackson's assertion that: "We (Americans) have a clear interest in a strong, politically effective Romania, capable of an independent position on key foreign policy issues. . . . It serves our national interest to encourage Romania . . . to exercise its right to greater freedom as a sovereign state in the face of Soviet military power and Soviet political pressure."

The distinguished Senator's summation is a masterpiece of brilliant statemanship as far as that goes which it does not because realities have a way of resisting attempts to cram them in Procustian beds. Let me elaborate:

Considering that, like all communist leaders, Mr. Ceausescu was able to come to power only thanks to the Soviet Union's presence on the scene, the contention that Mr. Ceausescu is "anti-Soviet" is rather naive, if not downright frivolous, if we do not lose sight of the fact that Mr. Ceausescu's "cobbler-to-riches" miraculous ascendancy is contingent with his unwaivering compliance with Moscow's line.

Spoiled by a Western press that daubed him "The Maverick of Eastern Europe" with a view to making him stand up to his masters in the Kremlin, Ceausescu got intoxicated with power and developed delusions of grandeur. Thus, the whole scheme backfired as Ceausescu wound up by himself believing in this skillful windowdressing. Surrounded by thousands of sycophants—of which all communist regimes seem to have more than their fair share—Ceausescu ordered his minions to create a myth around his figure of a rebellious independence vis-a-vis Moscow, hence his paranoiac megalomania that has by far surpassed Stalin's.

But, be that as it may, Ceausescu was, nevertheless, afforded the chance of enjoying the best of two worlds: he was able, on the one hand, to present to the West the alluring face of a new mold of communist chieftain—the communist leader with nationalistic proclivities—who deserves attention and help, the latter of which was lavishly bestowed upon him, and on the other, he was given the chance of projecting the image of a charismatic leader to his people.

It is notorious in well-informed cirlces that, in connivance with Moscow, Ceausescu parades his anti-Sovietism as a safety valve to help ease the pent up frustrations of a people brought to the brink of despair. Ceausescu can afford those seemingly daring digs and barbs at Moscow which make him look like an acrobat walking a tightrope—to paraphrase New York Times' description of Ceausescu's tantrums—only because he knows that there is a net beneath the rope, viz. his behind-the-scenes prearrangements with Brezhnev who accepts the mercurial petty dictator's peccadillos as long as it is understood that Romania will never stray out of Moscow's orbit.

The same New York Times has averred that, whenever confronted by political or economical problems at home, Ceausescu deliberately exacerbates tensions with Moscow, thus subtly reminding his subjects that it is only thanks to his "enlightened" leadership that the Russian troops are kept out of the country. What all those who lend credence to this myth fail to realize is that with a man like Ceausescu at the helm there is no need for the Russian troops to go in, to start with. Ceausescu is no Imre Nagy or Alexander Dubcheck!

Every time Ceausescu "exacerbates tensions with Moscow" by making like Hiawatha on the warpath (though Romania has never been actually at loggerheads with the Kremlin, which Romania can ill-afford to anger), the same Ceausescu obligingly flies to Moscow to reasure Brezhnev that the infamous pact is still in force as far as Bucharest is concerned and that the whole imbroglio was nothing but an act put on for the benefit of the gullible West.

We urge, therefore, this committee, to deny communist Romania and Mr. Ceausescu, the extension of the MFN clause until Romania will have proved beyond any shadow of a doubt that it has changed its policy, that not only a handful of people are allowed to leave the country—and that, usually, right before the renewal of the clause is due.

I would like to reiterate that I am not here to request that the Romanian government allow a few wives or children to re-unite with their families in the West, or release a few individuals from prison in Romania;

I request that the whole population of Romania, some 22 million, be granted the right to live in freedom and dignity, that the provisions of the Helsinki Final Act as well as all the other numberless international resolutions that Mr. Ceausescu signed, be complied with, that all human liberties be reinstated in Romania.

In conclusion, I express my strongest opposition to extending the most favored nation clause to the Ceausescu Dynasty. Let us give communism a chance to prove that their system is viable and self-sufficient. That it can produce something else—like food and consumer goods—besides empty rhetoric and highfalutin blather.

So far, the peoples of Easern Europe have voted, when offered the chance, with their feet. Let them now vote with their stomachs.

Thank you.

STATEMENT BY JOSEPH TON, PRESIDENT, ROMANIAN MISSIONARY SOCIETY

DEAR SIRS/MESDAMES: The Jackson-Vanik Amendment introduced an exceedingly important principle in the trade relations of USA with the Communist countries declaring that USA should not give the Communist countries any trade privileges unless these countries give their own citizens certain basic human rights. It is so obvious today that the Communist system is not working, more exactly is working only economic disaster. Because of this failure, the Communist countries are more and more dependent on the good will of the West for their bare survival.

It is this economic dependence which make the Communist States sensitive to the opinion of the West and it is this situation that offers to the West the opportunity to influence developments in Communist countries. It is the possibility of influence that makes the dissidents in the Communist countries bolder and gives them a change not only for survival but also of some limited success.

I am one of those dissidents who benefited from this situation. A paper which I wrote in July 1973 put me in trouble with the Communist regime of my country Romania. The paper that I wrote was brought to Washington and high officials here presented it to the Romanian President Nicolae Ceausescu when he visited Washington in December of 1973. I understand that somebody here explained to President Ceausescu that it mattered to the American Evangelicals what happened to the Romanian Evangelicals and so if he wanted to promote Romanian interest in USA, he should solve the problems of the Romanian Evangelicals as described in that paper.

The consequence was that as soon as President Ceausescu came back to Bucharest he gave an order that the problems of the Romanian Evangelical churches be solved according to that paper. And they were!

In 1974 and 1977, when I was again in trouble because of other papers in which I exposed cases of religious persecution, it was again the interventions from Washington and London that saved my life and my freedom and brought improvement in the situation of many Romanian Christians.

The fact that I was well known in the West and the fact that Romania is sensitive to the opinion of the West was my shield and my protection.

Now, as a man who knows all the horrors brought in by a Communist system, I hate thinking that the West is helping that brutal and inhumane system to survive. Should America give any help to these countries by doing trade with them? This is a tantalizing question for an American politician, but it is even more so, for an exiled Romanian dissident.

In order to be able to see the pros and cons for trade relations with Romania, let us see what might happen if the Most Favoured Nation Clause will be withdrawn and all trade relations with Romania will be stopped.

It is clear that the present shortage of food there, and the severe economical crisis would become catastrophic. The first to suffer would be the innocent people of Romania. But then, due to the fact that all these trade relations will be stopped because of the religious persecution and the violation of other human rights there, it is almost sure that the Communist regime would turn all the fury of a desperate nation against Christians and other human right fighters, saying that it is because of them that Romania was deprived of American aid.

Some might hope that with a total embargo on the Communist countries—if that were possible (who could convince some Western countries to do it?)—the economic crisis would produce mass uprisings in the Communist block, leading to a radical change of the system. But that desperate situation could trigger a nuclear holocaust as well!

One thing is sure that will happen: U.S.A. will be left without any means of influencing the situation there towards a betterment of the human rights. It is like trying to lift a heavy burden with a lever. As long as the lever is there, the hope is that somehow the burden will be lifted up. But when the lever is broken, there is no more lifting! The lever, of course, is trade and the Most Favoured Nation status so badly needed by Romania.

So, we plead for the maintenance of the lever. So far it was used successfully in many cases. Every year Romania has to come with new concessions, promising to solve new human rights problems, in order to get the Most Favoured Nation Clause.

What I believe is that this lever was not used strongly enough. The more desperate the situation in Romania—and it is critically desperate!—the greater opportunity for the American leaders and businessmen to condition any further help by a clear improvement in the rights of the common people, of minorities, and of religious groups in Romania.

The Communist regime is doomed anyhow because of economic disaster that it creates. Sooner or later the relations there will succeed to regain their freedom.

Keeping channels of communications open, the West can influence even the direction of that change. Those nations are searching desperately not only for a way out, but also for an alternative to their present system. The American nation has that alternative. We should be bold enough to proclaim it and ready to spend enough on communicating it to those desperate nations.

Thus we recommend the continuation of the Most Favoured Nation Clause not because the Romanian government deserves it for its good behavior, but because the continued agreement will supply some improvements, while the cessation will create only problems.

I thank you very much for this opportunity to express my feelings and those of the organization I represent.

CONSILIUL NATIONAL ROMAN
ROMANIAN NATIONAL COUNCIL
NORD AMERICA SECTION
SECTIUNEA AMERICA DE NORD
A NON-PROFIT ORGANIZATION -Reg.Book 088 Page 623/1978,N.J.
ID # 0100085308

THE EXECUTIVE BUREAU
President:Dr.Alexandru Bratu
105-44 107-th St.,Richmond Hill,
New York,N.Y.11417
Tel.(212) 641-5008

July 12,1982

Mr. JOHN J.SALMON,Chief Councel,
Committee on Ways and Means,
U.S.House of Representatives,
Room 1102,Longworth House Building,
Washington ,D.C. 20515

STATEMENT

of Dr. Alexandru Bratu,Ph.D. in Law and Economics;
-President of the "Romanian National Council-Nord America Section";
-Coordinator of International Affairs of the "World Anti-COmmunist Action Front (WACAF);
-Playwright,member of ASCAP-"American Society of Composers,Authors, and Publishers ";
Former assistant professor at Law School of Iassy University -Romania,Lawyer,and Economist.

HONORABLE CHAIRMAN AND DISTINGUISHED MEMEBERS OF THE COMMITTEE:

On behalf of the Romanian National Council -Nord America Section,my statement connected with the "Most Favored Nation "treatment to the Socialist Republic of Romania is one of refusal,and I hope that the U.S.A. will not grant the M.F.N.treatment to the communist ruled Romania,in order to get stronger the communist system in the world. The most part of the of the Romanian National Council,founded in 1978,are anti-communist former political prisoners in communist - ruled Romania,freedom fighters,opponents to the communist tyrany exerted by the Romanian Communist Party after March 6,1945.All these Romanian freedom fighters cannot forget that the Romanian provinces Bessarabia,Northern Bucovina and Hertza county were forcibly annexed by USSR in June 1940.We would never do anything to harm the interests of Romanian people,but we are concerned about the implications before deciding to continue to offer preferential treatment to a country of virtual slaves as Romania of today.

It is well-known that politically,in communist-ruled Romania is no freedom af emigration,and those who dare to struggle for palitical and religious freedom are brutally persecuted ,sent in mental hospitals,forced camps and prison.

It is also known that the socialist economic system of communist-ruled Romania lead the standard of living of the Romanian people to be the lowest in Europe.

The Romanian people really need freedom from fear,because each man is suffering from a constant fear of being sentenced to jail with every word,gesture suspect.The gigantic projects of so called "industrialisation of Socialist Romania"are not useful to the most part

..//..

of Romanian people,who are not Communist Party's members,but pay this experience with moral and material sufferings.

Based on these reasons,the Romanian National Council-Nord America Section with other Romanian Organizations of Freedom Fighters in exile examined the present plight of the Romanian people therein and found that:

I.-The communist dictatorship deprived Romanian people of free elections and the present members of the Communist Romanian National Assembly do not represent the Romanian people;

II.-The Communist Government of Romania today consists of a small minority of Romanian people's wishes;

III.-The communist dictators of Romania were and remained obedient subservients to the Kremlin chiefs,as Soviet satellites;

IV.-The Romanian people are forbidden to exercise even the elementary human rights;

V.-The communist tatalitarian system murderously undermine the future generation with its Marxist-Leninist education,atheism and political discrimination.

Until the date when free elections will take place in Romania with plural-parties participation under control of an International Commission sent by U.N.Organization,we ask to the Communist Government of Romania to respect the following measures:

a.-To stop the cruel exploitation of the Romanian workers;

b.-To permit Free Unions of Romanian workers and intellectuals;

c.-To release from prison the political prisoners who are detained today in jail or in mental hospitals,and forced labor camps;

d.-To permit the worship of the Romanian Catholic Church of Byzantine Rite,which was interdicted starting with December 1,1948;

e.-To accept the free association and activity to other political democratic activities,not only for Communist Party;

f.-To permit the families reunification and free communication of Romanians with other countries;

g.-To stop the political discrimination inside of Romania between the Romanian Comunist Party's members and the Romanian opponents and dissidents;

h.-The years served by political prisoners and by prisoners of conscience in jails,psychiatric hospitals,forced labor camps and forced residence,to be taken into the amount of their retirement plans as "years served into work's field",or in the pension's plans of widowod wives or orphaned children (2-nd case of decease);

i.-To restore the "Human Rights" in Romania under permanent control of an U.N.Commission of Human Rights.

A renewal of the "Most Favored Nation" treatment to the communist-ruled Romania without the respect of these conditions of normal life, it means to prolonge the bad life of the Romanian people,and to help the survival of a totalitarian political system -enemy of the democratic Free World.

The Romanian people must feel that they are not alone,and they must live the hope that the practice of political discrimination with so bad consequences in youth education ,art,literature ,religion and even in private life will stop as soon as possible.The Romanian Communist dictatorship of Nicolae Ceausescu must be made to realize and understand that the American people are not gullible.

In order to give some precise informations about the complete lack of freedom,lack of food,and the cruel terror of the communist dictator N.Ceausescu who made the life over there impossible,I present some strange cases of disrespect of the Human Rights:

1.-Rev.Gheorghe Calciu-Dumitreasa,orthodox priest from Bucuresti,a former political prisoner from Pitesti and Gherla jails,was sentenced again to 10 years of prison for "propaganda against socialist order" in 1979,because in one of his sermons about atheism and Faith,he

...///...

deplored the demolition of "Enei Church" from Bucuresti and "Domneasca Church from Focsani,and named the materialism system as a "Philosophy of Despondency".We don't know what happened to him,and we cannot understand why could be detained in jail a priest for such charge?

2.-Constantin Dumitrescu, a former lawyer and Secretary of Second Sector Bucuresti of the National Peasant Party-Iuliu Maniu-,who was 15 years in prison and two years in forced residence in Latesti,where he remained after the conviction term as a protester ,was arrested again in 1976 and sent to mental hospital "Poiana Mare " district of Dolj,because he wrote a political essay entitled "THE DENIED DIGNITY", unpublished.Now he is kept under guarded vigilance in Bordusani village-district of Ialomita,nobody having the possibility to contact him.

3.-Eng.Puiu Ion ,from Bucuresti,101 Victoria Ave.,Sector 1,a former political prisoner who served 15 years in jail,and after 1974 was investigated by the "Securitate"police with me and other former political prisoners-members of National Peasant Party,for the same political reasons as I was convicted until April 1976,and is under continuing harassment,being moved with job in Jilava village.He wants to emigrate in U.S.A. but he can not obtain the proper forms and allowance to leave his native country.

4.-Dumitriu Popa Aurel,born on March 14,1913,in Baleni -Galati,residing in Bucuresti ,Intrarea Odobesti,Nr.2,Bloc V11,Et.6,Apt.25,Tel. 475274,did not receive the applications forms to leave Romania for U.S.A.,for family reunification .

His wife Safta Grecu is a political refugee in U.S.A.,residing at 25-14 31 Ave.,Astoria,New York,N.Y.11106,Tel.(212)932-8635.

5.-The families-Corneliu Grecu,electronist,with his wife Mariana Grecu and children George -Lucian,and Alexandru -Cosmin Grecu,with his brother Mihai Grecu,Constructor engineer,and their mother Maria Grecu, all residing in Apusului St.Nr.48,Bl.47,Apt.35,Bucuresti,and also the brother Razvan Grecu,geologist,residing at Baba Novac st.,Nr.21,Bloc G 11,Apt.50,Sector 3,Bucuresti,with his wife Rodica Grecu,accountant, and their daughters-Ana and Michaela Grecu,in spite that they made many applications to emigrate in U.S.A. to their daughter Doina Grecu-Cosimbescu residing on 8 East 48 St.Apt.4B,Manhattan,New York,the Romanian authorities refused to give them the proper forms for passport.

6.-My own son Dan Bratu ,an assistant engineer and projector,with his wife Alexandrina Bratu,a teacher,and their children -Dan Stefan Bratu and Alexandru Emilian Bratu are under a continuous harassment of the Securitate police and Militia police,because they asked for the applications to leave Romania for U.S.A.for family reunification and to live in freedom.The Romanian authorities have denied exit visas and application forms for passports for more than three years.On June 13, 1982,they received the third refusal,in spite that in spite that Dan Bratu is my only one son.

7.Jerome Octavian Popa ,an U.S.A.citizen,residing at 969 62-nd St.in Brooklyn,New York,N.Y.11219,who was a former student of Midicine School in Romania,asked for an Analytic Programa of the General Medicine between 1965-1972,for an equalizer of studies,but the Romanian authorities refused to give him this Analytic Programa,considering it a secret of State.?!//

Only these examples are sufficient to show us that the Communist Government of Romania violated and still violates the Helsinky Pact.

In CONCLUSION,we strongly express that the Romanian people are not the beneficiaries of the M.F.N. treatment granted to Romania of today, and the extension of this clause is not in U.S.A. and the World's best interests.

God bless America!

Dr.Alexandru Bratu

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July 7, 1982

COMMITTEE ON
RECEIVED
JUL 12 1982
WAYS AND MEANS

The Honorable Dan Rostenkowski
Member, Committee on Ways and Means
U.S. House of Representatives
Washington, D.C. 20515

Dear Sir:

I have learned that this year's meeting of the Subcommittee on Trade #31, Committee on Ways and Means, to consider extension of Most Favored Nation status to the Socialist Republic of Romania will be held shortly in Washington.

I wish to go on record on behalf of ServBest Foods, Inc. to support the extension of this status to Romania.

This company is entirely owned by U.S. citizens. Our financial involvement with Romania is substantial and is increasing. We expect to generate considerable import and export business with Romanian commercial companies. Our imports from Romania do not compete with U.S. production.

Our financial involvement in Romania was initiated by the U.S. Department of Commerce approximately eight years ago when they encouraged this company and many other companies to enter trade with Romania. I trust that your Committee will consider the financial implications to U.S. companies by continuing Most Favored Nations status for Romania.

Very truly yours,

William E. Kentor
Chairman

WEK/jks

MEMBER: AMERICAN IMPORTERS ASSOCIATION, INC. AMI AMERICAN MEAT INSTITUTE CHAMBER OF COMMERCE OF THE UNITED STATES

STATEMENT OF DR. NICHOLAS DIMA, ON BEHALF OF THE TRUTH ABOUT ROMANIA COMMITTEE

In the matter of continuing most-favored-nation treatment for Romania and on extending the President's authority to waive the application of subsections (a) and (b) of section 402, the Freedom of Emigration Provision of the Trade Act of 1974.

Remarks concerning the background and treatment of the Hungarian Minority in Romania in the light of the present universal assessment of human rights; and the attitude of the Romanian-American Community with regard to Transylvania.

It should be mentioned that the great majority of the American Romanians have their roots in Transylvania, the western part of Romania. Their ancestors chose to immigrate to the United States to escape the very Hungarian ethnic persecution in the homeland which at the time was part of Austro-Hungary. All of them, honorable second, third and fourth generation Americans, have relatives in Romania and are worried about the current Hungarian campaign.

There are some one million seven hundred thousand Hungarians and Szeklers in Romania and they may suffer together with the majority of the Romanian population. Plagued by oppressive political arrangements and unwise economic policies, the entire population of Romania has been subjected for years to a low standard of living, hardship and grave limitations of individual freedom. Within this unhappy framework, the Hungarian minority has its own unfortunate share as well. Contrary to many complaints, many Romanian citizens who have escaped recently to the West, stated however, that in order to keep the ethnic minorities quiet, Bucharest is treating them more leniently and sometimes even better than the overwhelming Romanian ethnic majority of the country. Nevertheless, extremist Hungarian circles in the West mount continuously their exaggerations with the undeclared goal of preparing the ground for a future territorial revisionism. With regard to the Hungarian allegations of violations of ethnic rights, it should be noted the conclusion reached by the State Department in 1980: "The government of Romania does not discriminate against its minorities as a matter of policy."

The facts presented herein should enable the American Congress to be more fully aware of the internal situation in Romania from an ethnic point of view, and better understand what is true and what is false with regard to the Hungarian minority of the country.

MINORITIES AND STATE BOUNDARIES: THE CASE OF TRANSYLVANIA

INTRODUCTION

Transylvania, the very cradle of the Romanian people, was dominated by Austro-Hungary for a long time, but it was eventually annexed by Hungary only in 1867. Under Hungarian rule, the Romanian indigenous and majoritarian population was ruthlessly exploited, persecuted, and kept at the periphery of the socio-political life of their own homeland. Nevertheless, the Romanians matured politically and realized that they could only develop freely with the rest of the Romanian people. Gradually, their aspirations took political forms and by the turn of the 19th century their union with Romania was inevitable. When the First World War started, Austro-Hungary was known as a prison of nations condemned by history to dismemberment. Indeed, at the end of the war, the component nationalities of the falling empire separated from Austria and Hungary and proclaimed their independence.

On December 1, 1918, over 100,000 Romanians assembled at Alba Iulia in the heart of Transylvania and proclaimed their union with Romania. The union was also approved and hailed by the Transylvania and Banat Germans. According to the 1910 official Hungarian census, the territory which united with Romania had a Romanian majority of 2 million people while the Hungarians numbered only 1.6 million of which more than 500,000 were actually magyarized Szeklers.[1] The union was fully recognized and ratified by the Trianon Peace Treaty.

THE ROMANIAN-HUNGARIAN BOUNDARY

At the end of the First World War nationality and language were considered the best criteria for drawing the new European boundaries, thus emphasizing the shift toward self-determination. The new Principle was formulated and proclaimed by president Woodrow Wilson and adopted by the Paris Peace Conference. It reads: "All well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the Peace of Europe and consequently to the World."[2]

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[1] *Romania at the Peace Conference* (Paris: 1946).

Accordingly, president Wilson set up a team of 150 scientists known as "The Inquiry" who worked assiduously for the Peace Conference. The Inquiry prepared competent maps for boundary proposals, which included physical and mineral resources maps, settlements, industry and agricultural maps, as well as numerous studies and documents which were used to draw the new boundaries of Europe.[3]

The Treaties negotiated at the Paris Peace Conference aimed at establishing ethnic boundaries and nation-states. Final decisions might have followed non-ethnic criteria in certain cases, but the paramount principle was "to include in each state the maximum number of its own nationals and the minimum number of other nationalities . . . and respect local conditions and sentiments as far as possible."[4] Nonetheless, no boundary is or can be perfect, "because it must include irreconcilable elements that have evolved side by side in the geographical space."[5]

In practice, establishing the new state boundaries of Eastern Europe was a very complex process. It involved a committee of experts, the Supreme Council of Ambassadors and binational boundary commissions. The Great Powers did not concede to the full demands of Yugoslavia, Romania and Czechoslovakia, for example, but "the frontiers of Hungary were drawn with a view of permanence."[6]

The new Romanian-Hungarian boundary area was predominantly agricultural and ethnic Romanian in rural areas while the cities were mainly Hungarian. Furthermore, the strip of land from Arad to Oradea and Satu Mare was chiefly Romanina in rural areas and had an ethnically mixed urban population. Although some delegates suggested that this strip of land should be returned to Hungary, after judging every aspect of the problem, the Paris Peace Conference decided to grant it to Romania. It was the only area attached to Romania primarily for economic reasons. Otherwise, ethnic features were fully taken into consideration.[7]

Hungary rejected her new boundaries and immediately after the conclusion of the Trianon Peace Treaty launched a campaign of revisionism. Unfortunately, during the entire inter-war period Budapest's foreign policy was almost exclusively based on treaty revision, but "by this they meant the restoration of their old dominance."[8]

Driven by revision and revenge, in 1938 Hungary sided wholeheartedly with the Axis. By the Vienna award of November 1938, Germany gave Hungary southern Czechoslovakia. During the following months, while Czechoslovakia was further dismembered, Hungary was allowed to annex the south-eastern plain of Slovakia. Later, with the new German moves in Eastern Europe, Hungary was allowed to annex Ruthenia. When Germany attacked Yugoslavia, Hungary hurriedly annexed two northern Yugoslav regions. Thus, Budapest broke her pact of non-aggression and friendship with Belgrade only three weeks after its ratification.[9] Germany also invited Romania to annex the Yugoslavian Banat with a large Romanian minority, but Bucharest refused it. At the same time, Czechoslovakia herself offered a piece of her territory to Romania before falling apart, but Bucharest refused this offer as well.[10]

The collapse of the Anglo-French front and the fall of France isolated completely Romania and made it easy prey to Soviet Russia, Germany and Berlin's little ally Hungary. In June 1940, the Soviet Army invaded Romania and annexed Bessarabia and Bukovina. Left alone, Romania turned toward Germany, but not after taking her punishment. While USSR hit Romania frontally, Hungary stabbed her from behind. Pressured by Budapest, in August 1940: "Hitler dictated a settlement of the Transylvanian frontier in a rough-and-ready fashion, his decision based apparently upon a complete absence of either knowledge or principle. The settlement was grossly unfair to Romania, without fully satisfying Hungary. The chief and perhaps the only desired result was to perpetuate the feud."[11]

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[2] Walter Lippmann, *U.S. War Aims* (London: H. Hamilton, 1944), p. 135.

[3] Preston E. James, *All Possible Worlds: A History of Geographical Ideas* (New York: Odissey Press, 1972), p. 430.

[4] A. G. Ogilvic, *Aspects of Boundary Settlement* (London: Society for Promoting Christian Knowledge, 1922), p. 8.

[5] S. Whitemore Boggs, *International Boundaries:* A Study of Boundary Functions and Problems (New York: Columbia University Press, 1940), p. vi.

[6] Harold Temperley, "How the Hungarian Frontiers were Drawn," *Foreign Affairs*, April 1928, p. 432; *Hungary-Romania Boundary* (State Department: Washington, D.C., 1965).

[7] Ibid., p. 440.

[8] Vibart Dixon, *The Disputed Frontiers of Europe* (London: Burke Publishing Co., 1944), p. 82.

[9] R. W. Setton-Watson, *Transylvania—A Key Problem* (Oxford: 1943).

[10] *Romania at the Peace Conference.*

[11] *The Disputed Frontiers of Europe*, p. 83.

Thus, Hungary was allowed by the Axis to occupy Northern Transylvania hoping to annex further Romanian lands. The population of the occupied area was 2.8 million of which 1.5 million Romanians and only 1 million Hungarians and Szeklers.[12] The Vienna Diktat was actually never widely recognized. Consequently, according to the Paris Peace Treaty of 1947, "the decisions of the Vienna Award of August 30, 1940, were declared null and void. The frontiers between Hungary and Romania as they existed on January 1, 1983, were hereby restored."[13] At the same time, the treaty cancelled all other Hungarian annexations acquired before and during the Second World War with Germany's help. The atrocities performed by Hungarians in the temporarily annexed lands were however hardly matched in modern times.[14]

POPULATION AND ETHNOGRAPHY

At the beginning of the 20th century Hungary was a true prison of nationalities similar to the contemporary Soviet Union. Of the officially recorded 21 million inhabitants, only 10 million were Magyars while 11 million were "minorities," and among them there were 3–3.5 million Romanians. Most of them lived in Transylvania where they were twice as many as the Hungarians.

After the union of the Romanian lands, the Hungarian/Szekler population living in Romania increased from 1.4 million 1930 to 1.5 in 1956, 1.6 in 1966 and 1.7 million in 1977. According to the last Romanian census of 1977, the two linguistically related groups made up 7.9 percent of Romania's population and some 20 percent of Western Romania's population. Transylvania itself has some 65–70 percent Romanian majority of which current Hungarian complaints never say anything. On the contrary, recent Magyar lamentations arbitrarily add the ethnic Germans to the Hungarian minority, abusively increase the sum-total by over 100 percent, omit completely to mention the Romanian majority, label Romania a multi-national country, and accuses Bucharest of falsifying data and mistreating minorities.

The truth is that by international comparisons Romania is a rather highly homogeneous country from an ethnic point of view. According to January 1977 official census, Romania had 21.6 million inhabitants and nearly 90 percent of them or 19 million were ethnic Romanians. Of the remaining population, the Hungarians and Szeklers totalled 1.7 million or 7.9 percent and the Germans accounted for 300,000 or 1.6 percent. There were several other small ethnic groups, but none of them was of any numerical significance.[15] In the past, Romania had a large Jewish community, but most of the Jews have emigrated. For an useful international comparison, as of 1972, of the existing 132 states, only 12 or 9 percent could have been considered ethnically homogeneous. The next group of 25 states or 19 percent of all countries, had a dominant ethnic group making between 75 and 89 percent of the total population. Most of the countries of the world however, are made up by different ethnic groups, each of them representing much less than 75 percent of the entire population.[16] Obviously, Romania is a highly homogeneous country and nation from this point of view.

From an ethno-demographic stand point, professor Setton Watson concluded a long time ago that the Magyers have had a very low birthrate for very long and in their recent history they did not gain population by a natural increase, "but as a result of a highly artificial process of magyarization."[17] Western Hungarian circles question the slow increase of Romanian-Magyars in recent decades. They should be reminded that demographic comparisons over time are easily available in Romania in the socio-economic context that actually checks the population change. The truth is that demographically, it has been established long ago that ethnic groups or entire populations which modernize first and fast, in such terms as urbanization, industrialization, education, a new family mentality and so forth, cease to increase in numbers. This is the case of the West and this has definitely been the case with the Hungarians both in Romania and Hungary. They are now at the end of the well-established process of "Demographic Transition," characterized by low birth and death rates and low population increases. In certain cases, the population change of such nations or ethnic groups could be even negative. This is the case of several modern Western nations as well as the case of the dominant Russian nationality in the USSR. The Russians are now under the index of demographic replacement whereas the rural non-Russian Soviet nationalities continue to increase rapidly.

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[12] J. G. Pounds, *An Historical and Political Geography of Europe* (London: George Harrop Co., 1947).

[13] *Treaty of Peace with Hungary* (Paris, 1947).

[14] See among others "Ordeal in Transylvania," *Journal of Central European Affairs*, April 1942.

[15] *Anuarul Statistic 1965* (Bucuresti, 1965), p. 74; *Romania Libera*, 14 Iunie 1977.

[16] Walker Connor, "Nation-Building or Nation-Destroying?" *World Politics*, Vol. 24, No. 3, April 1972, p. 320.

[17] See *Romania at the Peace Conferene*, p. 73.

In Romania, the Magyars are mostly urban and employed in industry and services, whereas the Romanians are still mostly rural. The result is that the Romanians have larger families and increase faster. The Hungarians have lost their power of demographic increase and there is no hope of regaining it. Cluj-Napoca, for example, the largest city in Transylvania, initially founded by the Romans, then refounded by Germans and taken over later by Hungarians, is now over 70 percent Romanian. The ecônomic development and the population migration from the Romanian-dominated surrounding rural areas, have changed the ethnic structure of the city. The process of industrialization/urbanization advances rapidly all over Eastern Europe and it does change previous ethnic balances. One wonders however, if there is any force in the world able or willing to stop the drive for modernization? At times and mostly indirectly, the process may adversely affect smaller ethnic groups. Within the present economically motivated world, characterized by urban/industrial growth, high mobility, job hunting and job assignments, it is not always easy to retain old values while struggling to acquire new positions and values.

Given the known tendency of the German ethnics to migrate to West Germany and the current Romanian demographic characteristics, it is expected that in the future the Romanian majority of Transylvania should increase further while the Hungarian minority should continue to decrease.

MINORITY RIGHTS AND "SELF-DETERMINATION"

The Peace Treaties negotiated at Paris after the First and Second World Wars provided for the respect of the rights of minorities which could not be satisfied politically, but without making them irredentists. Subsequently, Romania undertook to respect the rights of her minorities according to international provisions and within national security limits.

It is worth mentioning that when the Soviet Army overran Eastern Europe in 1944–45, the Hungarian minority of Transylvania became overnight pro-Soviet and communist. Countless ethnic Hungarians "invaded" the weak Romanian communist party and its secret police and for some 15 years unbelievably terrorized the Romanian majority particularly in Transylvania. Thousands upon thousands of innocent Romanians were thrown in prisons and many a time the oppressors were again the Magyars. The Magyar minority made up a very high proportion of the Party back in those days and gave Romania many ruthless communist leaders. Leontin Salajan, for example, a Soviet-trained Hungarian, became the minister of the Romanian Armed Forces and a member of the Party's Central Committee. Alexandru Moghioros, another member of the politbureau was well known for his fanaticism and ruthlessness. Janos Fazekas, secretary of the Party's Central Committee since 1954, is just another Hungarian "who distinguished himself in energy, opportunism and lack of scruple." [18]

The Western Hungarian circles did not bother to raise the problem of human rights in Transylvania back in those days as they do now. In that climate, was set up in 1952 an autonomous Magyar region just in the middle of Romania. The region proved to be however a cradle of arrogance toward the Romanians, and of Hungarian irredentism, and was later disbanded.

Now, when the Hungarian minority shares equally with the Romanians in the life of Transylvania, Western "liberal" circles keep complaining and advocate a return to the abnormal situation of the past requiring some sort of special status or self-determination.[19]

Self-determination of minorities is actually alien to the United Nations charter. "In fact, it was quite clear that rights granted to a minority should not be such as to form separate communities within a state, which might impair its national unity or security." [20] The UN Charter speaks of self-determination without emphasizing it, "does not suggest that self-determination is among the human rights, and does not mention minority rights at all. The Universal Declaration of Human Rights says nothing about either subject." [21]

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[18] D. A. Tomasic, "The Romanian Communist Leadership," *Slavic Review,* Vol. 20, No. 3, October 1961, p. 488.

[19] See Julia Nanay, *Transylvania* (Astor: Danubia Press Inc., 1976).

[20] See Vernon Van Dyke, "Self-Determination and Minority Rights," *International Studies Quarterly,* Vol. 13, No. 3, September 1969.

[21] Ibid, p. 223.

Self-determination has indeed taken the form of an international legal right, but its scope is open to debate. A scholar of the field has actually suggested that the right of self-determination should be defined "as the right of a majority to the exercise of power." [22] Otherwise, the world would fall into instability, wars, and fragmentation. The principle of self-determination of minorities is thus countered by the right of the state to protect its territorial integrity and to preserve itself.[23] When a given state or country is a rather homogeneous nation-state as it is the case with Romania, the right of self-preservation becomes actually an ultimate sacrosanct right.

In fact, since the Second World War, many governments "have emphasized the idea of integration or assimilation on the basis of pledges to equal and non-discriminatory treatment for individuals." Consequently, United Nations suggested that "it is highly desirable that minorities should settle down happily as citizens of the country in which they live," while special measures should be taken for the protection of their traditions.[24] Furthermore, according to the UN Charter, members of minorities are fully entitled "to equal and non-discriminatory treatment as individuals," but minorities as collective entities have "no right to special status." [25]

The Romanian-Magyar minority may encounter difficulties along with the entire population of Romania. It may also encounter problems of its own related to the adjustment to a new socio-economic milieu. Intermarriage between Romanians and Hungarians, for example, is high and assimilation which occurs naturally wherever different nationalities coexist may also take place, but accusing Romania of ethnic persecution is incorrect to say the least. Besides the thin veil of "human rights in Transylvania," is the old specter of Hungarian irredentism and revisionism and the Romanians are already on alert.

In 1976, the State Department and the American Embassy in Bucharest submitted a statement to the US Congress specifying that all Romanian citizens are subject to restrictions without regard to their ethnic origin. The report added that "any restriction imposed by a predominately Romanian regime will be resented with specific bitterness by the ethnic Hungarians whether or not these restrictions are imposed in a discriminatory fashion." [26]

On its 1980 Annual Report on Human Rights, the Department of State wrote that "the Romanian government cooperated with a United States congressional staff study mission which visited the western area of the country to learn more about the status of minorities in Romania, particularly the Hungarian minority." In spite of distorted and misleading conclusions reached by some otherwise honorable international organizations, the unbiased American report mentions only in passing that Amnesty International believes that Bucharest discriminates against the Hungarian minority. Washington concludes nevertheless that "The Government of Romania does not discriminate against its minorities as a matter of policy." [27]

For those circles who maneuver the new form of revisionism, so far hidden behind human rights, Romania is a test-case. A Western Hungarian publication, Magyar Holnap of May 1976, claims rather directly 103,000 q. Km. from Romania, 63,000 Sq. Kn. from Yugoslavia, 4,000 Sq. Km. from Austria, and 62,000 Sq. Km. from Czechoslovakia and Ukraine. Sadly, such people still live in the past, but their activity trigger suspicion, misgivings and bitterness in an enough troubled world which needs them in the least.

(On behalf of The Truth about Romania Committee).

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[22] Ibid, p. 228.

[23] Walker Connor, "Self-Determination—The New Phase," *World Politics*, Vol. 20, No. 1, October 1967, p. 47.

[24] "Self-Determination and Minority Rights," p. 247.

[25] Ibid, p. 250.

[26] *H 4995* (U.S. Congress: Washington, D.C., May 26, 1977).

[27] *Country Reports on Human Rights Practices* (Washington, D.C.: U.S. State Department, 1981), p. 872.

THE TRANSYLVANIAN WORLD FEDERATION,
U.S. BRANCHES AND AFFILIATED ORGANIZATIONS,
Annandale, Va., July 16, 1982.

Hon. SAM GIBBONS,
Subcommittee on Trade,
House Ways and Means Committee.

DEAR MR. CHAIRMAN: The U.S. Branches and Affiliated Organizations of the Transylvanian World Federation firmly opposes the continuation of Most Favored Nation Status to the government of the Socialist Republic of Rumania.

PUZZLING STATISTICS

Rumania leads a well planned and systematically executed campaign to eliminate the national minorities through forceful assimilation into the Rumanian nationality. Guarantees of minority rights are not observed.

Comparing data furnished by the "Office of Statistics" in Kolozsvar-Cluj-Napoca, Transylvania, concerning the 1943 and 1977 census, we notice that while the Hungarian population seems to be disappearing, the number of Rumanians have increased during those 31 years in an amazing rate.

To illustrate the difference between the census figures of 1943 and those of 1977 we bring here the statistical data of four well known Transylvanian Communities:

	1943		1977	
	Hugarians	Rumanians	Hugarians	Rumanians
Szamosujvar-Gherla	4,846	1,972	143	7,879
Fuzes-Fizes	1,088	662	314	1,991
Vice	989	123	214	968
Magyarszovat	1,534	781	489	1,986
Total population	8,457	3,538	1,160	12,824

In these four communities the number of Hungarians decreased by 7,297 while the number of Rumanians increased by 9,286. The total population of these four communities increased by 889 in the 31 years.

The question is: What happened to the Hungarians and where did all the Rumanians come from?

Noting the statistics of the Rumanian government released though the State Department that there were 1.7 million Hungarians living in Rumania in 1981; and noting from the oral information of Prof. Harvy to the Trade Subcommittee on July 13, 1982 that there are one-and-a-quarter-million (1.25 million) Hungarians livings in Rumania now—

The question becomes: What happened to 450,000 Hungarians in One year between 1981 and 1982 in Rumania?!

Do not renew MFN Rumania.

Sincerely,

MRS. ILONA BOISSENIN.

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